

Washington State

Guide to Managing Your Public Transportation Grant



For State and Federal Grants Managed by the
Washington State Department of Transportation

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Introduction

Purpose of this guide

The purpose of this guide is to provide technical assistance to organizations that have been awarded state and/or federal public transportation projects through the Washington State Department of Transportation (WSDOT). This guide will help you comply with the laws and regulations associated with Federal Transit Administration (FTA) and Washington State public transportation funding in Washington State. In addition, you will find technical assistance and best practices on implementing and managing your project.

Note: Most of the requirements addressed in this guide pertain to organizations receiving federal funds but can be used as a model for best practices on all projects.

What does this guidebook contain?

The key to ensuring compliance with the laws and regulations associated with grants is record keeping and the development and implementation of policies and procedures. This guide is divided into three parts to help you locate the information you need based on the type of project you were awarded:

- Chapter 1: Guidelines for All Projects
- Chapter 2: Guidelines for Operating Projects
- Chapter 3: Guidelines for Capital Projects

What funding programs are covered in this guide?

This guide covers all public transportation funding programs managed by WSDOT's Public Transportation and Commute Options Office (PT&CO). PT&CO manages both competitive grants and transit formula based grants. This section provides a brief overview of each program.

What FTA programs are covered?

Below is a list of FTA programs covered in this guide.

- 5310 - Transportation Services for Elderly Persons and Persons with Disabilities. Types of projects eligible:
 - ◆ Capital - Vehicles and other equipment.
 - ◆ Purchase of Services - Service contracts between WSDOT and transportation providers.
- 5309 – Transit bus and bus related. Types of projects eligible:
 - ◆ Capital – Transit Vehicles and other equipment.
- 5311 - Transportation services for the general public in rural areas. Types of projects eligible:

- ◆ Capital – Passenger service vehicles and other equipment.
- ◆ Operating – Subsidy for fixed route and demand response service.
- 5311(f) - Intercity Bus Program. Intercity service provided to the general public. Types of projects eligible:
 - ◆ Capital – Passenger service vehicles and other intercity bus equipment.
 - ◆ Construction or modification of facilities used by intercity bus providers.
 - ◆ Operating - Intercity bus service in small urban and rural areas.

Note: Feeder service is eligible only if it is designed to provide transportation to the general public for the purpose of accessing intercity bus services.
- 5337 – Job Access and Reverse Commute (JARC)
 - ◆ Capital – Passenger service vehicles
 - ◆ Operating – Subsidy for providing passenger transportation services to low income persons to access work and educational programs

In addition to the FTA programs listed above, this guide covers projects that are transferred from the Federal Highway Administration's (FHWA) Surface Transportation Program (STP) to the 5311 program.

What state funds are covered?

This guide covers two categories of state funding programs, the ParaTransit/Special Needs Programs and the Rural Mobility Programs. Below is a brief overview of each

Rural Mobility

Rural mobility funding is available to provide transportation in small cities and rural areas of Washington State. There are three separate rural mobility allocations:

- Current Law Funding – Historical program. This competitive program is open to private non-profit, private for profit, and government agencies. Eligible projects include:
 - ◆ Capital – Passenger transportation vehicles and other equipment
 - ◆ Operating – Passenger transportation services
 - ◆ Program Development – Planning, coordination, and marketing activities for public transportation services
- New Law Competitive- Funding provided by the legislature for the 2003-2004 biennium. This is a competitive program open to private non-profit, private for profit, and government agencies for services in areas that are unserved or underserved by public transit. Eligible projects include:
 - ◆ Capital – Passenger transportation vehicles and other equipment
 - ◆ Operating – Passenger transportation services
 - ◆ Program Development – planning, coordination, and marketing activities for public transportation services
- New Law Formula- Funding provided by the legislature for the 2003-2004 biennium. This is a formula program for transit systems only. Eligible projects include:

- ◆ Capital – Passenger transportation vehicles and other equipment
- ◆ Operating – Passenger transportation services
- ◆ Program Development – planning, coordination, and marketing activities for public transportation services

ParaTransit/Special Needs Transportation

This funding was provided by the 2003 legislature to increase access to transportation for persons who because of age, disability, or income status are unable to provide their own transportation. This funding must be used for new services and not to supplant other funding sources. Two programs were established by the 2003 legislature. They include:

- ParaTransit/Special Needs-Non-Profit – This is a competitive program that provides funding to private non-profit organizations. Eligible projects include:
 - ◆ Capital – Passenger service vehicles and other equipment needed to provide new service
 - ◆ Operating – New transportation services designed to meet the needs of persons with special transportation needs.
- ParaTransit/Special Needs-Transit – These are formula based grants for transit agencies. Eligible projects include:
 - ◆ Capital – Passenger service vehicles and other equipment needed to provide new service
 - ◆ Operating – New transportation services designed to meet the needs of persons with special transportation needs.

Who do I contact for help?

For questions on this guidebook, or to receive technical assistance, contact one of the WSDOT's Public Transportation and Commute Options (PT&CO) staff listed below:

Contract and Grant Administration			
Jerry Ayres Contracts and Grants Administrator	<ul style="list-style-type: none"> • Oversight and administration • Conflict resolution • Procurement 	(360) 705-7912	ayresj@wsdot.wa.gov
Ginny Morin Grant Programs Specialist	<ul style="list-style-type: none"> • Grant management • Accounting • Contract compliance 	(360) 705-6985	moring@wsdot.wa.gov
Patty Alvord Grant Compliance and Planning Specialist	<ul style="list-style-type: none"> • Compliance with state and federal regulations • Planning 	(360) 705-7979	alvordp@wsdot.wa.gov
Debbie Carr Contracts Specialist	<ul style="list-style-type: none"> • Accounting • Contract compliance 	(360) 705-7914	carrd@wsdot.wa.gov
David Chenaud Contracts and Grants Analyst	<ul style="list-style-type: none"> • Invoicing • Progress reports 	(360) 705-7839	chenaud@wsdot.wa.gov
Hiep Tran Vanpool/Vehicle Procurement Specialist	<ul style="list-style-type: none"> • Procurement • Vanpool program 	(360) 705-7875	tranh@wsdot.wa.gov
Barb Savary Safety and Asset Management Specialist	<ul style="list-style-type: none"> • Asset Management • Maintenance • Safety, security and emergency mgmt. 	(360) 705-7926	savaryb@wsdot.wa.gov
Coordinated Transportation			
Robin Phillips Administrator for Coordinated Transportation	<ul style="list-style-type: none"> • ACCT • Special Needs • Trip Planner • Intercity Bus Program 	(360) 705-7929	phillir@wsdot.wa.gov
Don Chartock Special Needs Program Coordinator	<ul style="list-style-type: none"> • Project development • ACCT 	(360) 705-7928	chartod@wsdot.wa.gov
Communications			
Tonia Buell Communications Manager	<ul style="list-style-type: none"> • Marketing • Public relations • <i>Grass Routes</i> 	(360) 705-7439	buellt@wsdot.wa.gov
General Information			
Contracts and Grants Secretary		(360) 705-7911	transit@wsdot.wa.gov
Cathy Silins, PT&CO Manager		(360) 705-7919	silinsc@wsdot.wa.gov

What other resources are available?

WSDOT provides technical assistance to all grantees upon request. The Public Transportation and Commute Options Office staff will be happy to assist your organization in the following areas:

- Vehicle Specifications and Bid Procedures
- Drug Abuse and Alcohol Misuse Testing Policies and Procedures
- Other required policies and procedures
- Project Management
- Financial Management
- Complying with Federal and State Regulations

For additional information that may assist with managing your project, visit the websites listed below:

Organization

WA State Dept. of Transportation
Community Transp. Assoc. of America
Community Transp. Assoc. Northwest
Federal Transit Administration
WA State Transit Association
WA State Transit Insurance Pool
WA State Transp. Training Coalition

Website

www.wsdot.wa.gov/transit
www.ctaa.org
www.cta-nw.org
www.fta.dot.gov
www.watransit.com
www.wstip.org
www.wsttc.org

Chapter 1

Guidelines For All Projects

This section will provide you with the basic information you need to know regardless of the type of funding or project you were awarded. In addition, you will find helpful suggestions to make your project more successful and avoid potential problems.

Are annual audits required?

If your organization receives federal funds totaling \$350,000 or more in a calendar year. Your organization is required to submit annual audit reports for the duration of your project. The entity performing your audit is based on the type of organization you work for:

- Public Agencies are audited by the State Auditor's Office.
- Private for profit or non-profit organizations and tribal governments must have their audits performed by a certified public accountant.

Note: All audits performed must meet the requirements of OMB circular A-133, Audits of States, Local Governments, and Non-Profit Organizations

In addition, WSDOT, the Washington State Auditor's Office or the FTA (in the case of federal awards) may perform an audit of your project. These audits will be based upon the scope of work for your project, your financial records, and the federal and state laws and regulations referenced in your agreement or contract with WSDOT. The audits may take place during the course of your project and/or up to three years beyond the end of your agreement or contract with WSDOT.

Do I need a formal maintenance plan?

All organizations that receive grant funds and operate passenger service vehicles are required to have a maintenance program (see Chapter 3 for more information). However, transit agencies are now required to adopt a formal plan under Washington State law. The following information provides an overview of the state requirement and applies only to transit agencies.

What is the state requirement?

In 2003, the Washington State Legislature passed a bill that requires that, as a condition of receiving state funds, public transit agencies must submit maintenance and preservation management plans for certification by the Washington State Transportation Commission. This legislation was passed under Senate Bill 5248. A copy of that bill can be found in the reference manual that accompanies this guide.

How do I comply?

To comply with this requirement, your organization must take the following action:

- Develop a maintenance and preservation plan that contains the following elements:
 - ◆ An inventory of all transportation system assets within your direction and control
 - ◆ Provide a preservation plan based on the lowest life-cycle cost methodologies
- Submit the plan to the WSDOT staff member listed in the front of this guide. WSDOT will submit the plans for certification to the Transportation Commission.

Labor compliance issues

This section provides the basic requirements for complying with federal labor regulations. Those regulations include, but are not limited to:

- Fair Labor Standards Act
- Contract Work Hours and Safety Standards Act
- Section 5333(b) Labor Standards

What are the Fair Labor Standards Act and Contract Work Hours and Safety Standards?

The Fair Labor Standards Act and the Contract Work Hours and Safety Standards provisions established basic wage standards to be used for employees. The three main features that apply to your organization are:

- Minimum Wage - All employees must be paid at the current federal minimum wage or state minimum wage which ever is higher.
- Overtime – Non professional employees must be paid at a rate of 1½ times their normal pay for all hours worked beyond 40 hours per week.
- Health and Safety – No employee shall be placed in a work environment that is unsanitary, hazardous, or dangerous to his/her health or safety.

Note: Some types of employees are exempt from overtime payment requirements. However, it is very important that you do not assume that the exemptions apply to your employees. It is always best to refer directly to the implementing regulations to determine what course of action you may take. Copies of 40 U.S.C. Chapter 5 (Contract Work Hours and Safety Standards) and 29 U.S.C. Chapter 8 (Fair Labor Standards Act) can be found in the reference manual that accompanies this guide.

How do I comply with Section 5333(b) Labor Standards?

The 5333(b) Labor Standards is better known by its former name, Section 13 (c) Special Warranty. In the reference manual that accompanies this guide you will find a copy of the *Rural Transportation Employee Protection Guidebook*, published by the U.S. Department of Labor. That publication will give you detailed information about

the requirements. The specific federal laws and regulations can be found in 49 U.S.C. Section 5333(b) and 29 C.F.R part 215.

Who must comply with 5333(b)?

At this time, the Section 5333(b) Labor Standards apply only to organizations that are awarded Section 5309, 5311, 5311(f), and JARC projects. However, if the U.S. Secretary deems it necessary, the requirements will also apply to 5310 projects.

Who is covered under the labor protections?

Section 5333(b) was put in place to ensure that no rural transportation employee is terminated or his/her position worsened as a result of a FTA funded project. The labor protections under 5333(b) apply primarily to your employees. However it also covers the employees of any other transportation provider operating in the same service area.

Can claims be filed against my organization?

If a passenger transportation employee feels that they were terminated or their position was worsened as a result of your organization being awarded a FTA project, that employee, or a union representing the employee, has the right to file a claim with the U.S. Department of Labor. If the claim is found in their favor, it will be your responsibility to make any necessary financial and/or employment accommodations for that individual. U.S. Department of Labor may also impose a fine. Below are examples of circumstances that may cause a claim to be filed:

- Your Employees.
 - ◆ Your organization is awarded a project that includes the purchase of a new dispatch system and as a result of this project you only need two dispatchers instead of three and one dispatcher is laid off.
 - ◆ You are awarded a project to purchase a minibus to replace a large bus. However, your organization pays minibus drivers less than you pay drivers of large buses and as a result, one driver's pay is reduced.
- Employees of other transportation providers.
 - ◆ You are awarded a project to provide transportation in a new area. As a result of this new service there is a decline in another provider's service and the other provider terminates an employee.

What are the basic compliance requirements?

There are three basic steps to make sure your organization is in compliance with Section 5333(b) Labor Standards.

- Step One: Review the *Rural Transportation Employee Protection Guidebook*. Make sure that you completely review that guidebook to ensure you are in full compliance with the Department of Labor regulations associated with rural transportation programs.

- Step Two: Part of complying with the Section 5333(b) Labor Standards is the posting of an employee notice. This notice advises passenger transportation employees of their rights and the process they must follow if they feel their position has been worsened. A sample of the notice can be found in Appendix “F” of the *Rural Transportation Employee Protection Guidebook*. To comply with the posting requirement, the following action must be taken:
 - ◆ You must prepare the notice on your letterhead. This includes inserting your organization’s name in the appropriate places
 - ◆ Attach copies of pages 22 through 27 and 30 through 38 of the Rural Transportation Employee Protection Guidebook behind your notice.
 - ◆ Attach the procedure for filing a claim. The PT&CO will provide you a copy of the claim procedure.
 - ◆ If your public transportation employees are covered by a union bargaining agreement, also attach a copy of your union arbitration procedures
 - ◆ Posted this information in an employee gathering area for the entire period of your grant award.
- Step Three: If you have a union contract, you need to notify the union local. In addition, you will need to incorporate the arbitration procedures, described in the *Rural Transportation Employee Protection Guidebook*, into your current and future union contracts

Private Sector Participation

This section applies only to public agencies that were awarded FTA funding for their projects. FTA requires that all public agencies awarded FTA projects to allow private mass transportation providers to participate in the project to the maximum extent feasible. Organizations awarded FTA projects are prohibited from using those funds to operate in direct competition with existing private mass transportation providers.

FTA does not prescribe a specific private sector participation process. However, you will need a process in place to ensure that other organizations providing service in your area are aware of your intentions. This can be accomplished through your coordination efforts or by holding a public hearing prior to submitting an application for your project.

Care should be taken when expanding your transportation services. If you are planning new service it is important to contact any private providers that may be operating in that area. This may take the form of a legal add or a written notice to the other providers requesting a response. Failure to involve private sector transportation providers may result in complaints filed with WSDOT and/or FTA alleging unfair competition.

Note: For information on how complaints should be handled. See “Complaints-Unfair Competition.”

Charter requirements

This section provides a brief overview of the charter requirements. If your organization receives federal funds for any of your projects, before proceeding with any charter operations you should review the detailed requirements found in 49 CFR 604 located in the reference manual that accompanies this guide.

Note: Charter requirements do not apply to organizations that were awarded FTA 5310 grants.

Organizations awarded 5309, 5311, 5311(f), or JARC grants are not allowed to use FTA funds or equipment and facilities purchased with those funds for charter services unless one or more of the following exceptions apply:

- There are no private charter operators willing and able (have the desire and capability) to provide the charter service being proposed. To determine if there are any private charter operators that are “willing and able” to provide the services, you must conduct a public participation process at least 60 days before you begin providing charter services. Refer to 49 CFR 604 for the procedures on how to determine if there are any “willing and able” private charter operators. WSDOT staff will provide technical assistance in this matter upon request.
- Your organization may enter into a contract with a private charter operator to provide charter equipment to or service for the private charter operator if:
 - ◆ The private charter operator is requested to provide charter service that exceeds its capacity; or
 - ◆ The private charter operator is unable to provide equipment accessible to elderly and persons disabilities.
- Your organization may petition FTA for an exception to provide charter service directly to the customer if the charter service provided by the “willing and able” private charter operator(s) would create a hardship on the customer because:
 - ◆ The “willing and able” private charter operator(s) impose minimum duration and the desired trip length is shorter than the mandatory trip length; or
 - ◆ The “willing and able” private operator(s) are located too far from the origin of the charter service to be provided.
- Your organization may petition FTA for an exception to provide charter service directly to the customer for special events to the extent that private charter operators are not capable of providing the service.
- Your organization may provide charter service directly to the customer if a formal agreement has been executed between the recipient and all private charter operators that you have determined to be “willing and able.”

Note: The “willing and able” process must be repeated each year of your project. For vehicles, other equipment, and facilities, this may span a period of several years, or as long as WSDOT retains legal ownership of any vehicles or interest in other equipment and facilities.

School bus provisions

This section applies only to organizations that were awarded FTA funding. Organizations awarded FTA projects are prohibited from providing school bus transportation. School bus transportation is defined as “transportation by bus exclusively for school students, personnel, and equipment.” Specific details about this regulation can be found in 49 CFR Part 605 located in the reference manual that accompanies this guide.

DBE requirements

This section applies only to organizations that were awarded FTA funding. As a condition of receiving federal funds, all organizations must make efforts to purchase from Disadvantaged Business Enterprises (DBE's). However, the level of effort for your organization will depend on the combined total of all of the FTA funded projects awarded to you for a calendar year. PT&CO staff will provide you with technical assistance on meeting our DBE requirement. You may also contact WSDOT's Office of Equal Opportunity at (360) 705-7085.

Is a DBE plan required?

If your organization intends to award a contract(s) totaling \$250,000 or more in FTA funds (exclusive of passenger service vehicles), a formal DBE plan is required. To accomplish this you will need to:

- Develop and implement a formal plan for purchasing from DBE vendors
- Establish formal DBE purchasing goals
- Obtain approval of your plan from WSDOT or FTA
- Submit annual reports to the WSDOT's PT&CO on DBE purchases and goal attainment.

Your organization may elect to adopt WSDOT's DBE plan instead of developing your own. If you choose to take advantage of this option, you must notify the PT&CO advising them of your intentions. You may set project specific goals in lieu of a formal DBE plan. However, prior approval from FTA will be required.

Note: The \$250,000 threshold applies to all FTA funds used for contracting in a calendar year, except projects awarded for the purchase of passenger service vehicles. WSDOT's DBE Plan can be found on the Internet at <http://www.wsdot.wa.gov/oeo/HTML/DBE-Program-Part-Plan.htm>

If a plan isn't required, what do I do?

Organizations who are not required to develop and implement a DBE plan are expected to make good faith efforts to purchase from DBE vendors. Your organization is expected to make all reasonable attempts to locate and purchase from DBE vendors. To meet this requirement, the following steps should be taken:

- When advertising for contracted goods or services, advertise your request for bids/quotes include a statement encouraging DBE vendors submit a bid/quote on the project

Note: If you receive bids/quotes from DBE's that are not the lowest price, you may purchase from the lowest priced non DBE vendor only if the price bid/quoted by the DBE vendor is more than five percent higher than your lowest price bid/quote. If you don't receive any bids from DBE vendors, you may award the contract according to your normal purchasing procedures.

- Place ads in any local minority newspapers
- Actively seek DBE vendors, this can be done by obtaining a directory from the Office of Minority and Women Owned Business Enterprises (OMWBE) or contacting equivalent agencies in neighboring states.

Note: The OMWBE directory is available on the Internet at <http://www.wsdot.wa.gov/omwbe/>

- Encourage eligible businesses to become certified
- **Document** all your efforts.
- Submit quarterly reports detailing the total purchases made from DBE vendors and/or what good faith effort you have made.

Disabled Persons' Employment, Public Accommodation, and the Americans with Disabilities Act (ADA)

It is important that the services you provide to the public and your hiring practices do not discriminate against persons with disabilities. This section will provide an overview of the basic information you need to make sure that your organization is in compliance with federal and state laws regarding employment and services to persons with disabilities. Copies of the federal and state laws covering this topic can be found in the reference manual that accompanies this guide. Those laws include:

- 49 CFR Part 27, Non Discrimination on the Basis of Handicap in Programs and Activities Receiving or Benefiting from Federal Financial Assistance
- 49 CFR Part 37, Transportation Services for Individuals with Disabilities (ADA)
- RCW 49.60.030, Freedom From Discrimination – Declaration of civil rights

The federal requirements state that, "no qualified disabled person shall be excluded from participation in, be denied the benefits of, or otherwise be subject to

discrimination under any program or activity that receives or benefits from federal financial assistance, administered by the US Department of Transportation, solely on the basis of their disability.” This applies to employment opportunities and the services provided by your organization.

The state Freedom From Discrimination law provides persons with disabilities additional rights. Those rights include, but are not limited to:

- The right to obtain and hold employment without discrimination
- The right to full enjoyment of any of the accommodations, advantages, facilities, or privileges of any place of public resort, accommodation, assemblage, or amusement.

Regardless of the type of funding or project you were awarded, your organization needs to ensure that you are not discriminating against persons with disabilities.

Below is an overview of some of the information you need to know to ensure you are in compliance with the requirements.

Do my employment practices discriminate against persons with disabilities?

Ensuring compliance in your employment practices includes a range of activities:

- The hiring process must include:
 - ◆ Policies on how interviews are conducted. It is illegal to ask someone in an interview if they are disabled, nature of their disability, or what accommodations would need to be made.
 - ◆ Clearly written job descriptions. If you have positions that include duties with physical responsibilities, make sure the responsibilities are clearly defined in the job description. You cannot disqualify someone on the basis of his or her inability to perform a function of the job if it is not identified in the job description.

Note: When you describe the physical responsibilities of a position, you want to make sure that it realistically represents what is required of a person performing that type of work. Placing unnecessary physical responsibilities in a job description may make your hiring practices discriminatory. For example, it is not appropriate to require a dispatcher to be able to drive a bus.

- While employed, reasonable accommodations must be made.

What are reasonable accommodations?

Reasonable accommodation consists of minor equipment purchases and/or facility modifications that enable the employee to work. These should not cause financial hardship to your organization. Reasonable accommodations may include, but are not limited to:

- Purchasing a magnification tool for a visually impaired employee’s computer.
- A person who is disabled due to a back injury may need a special chair or an elevated workstation.

- Rearranging your office area, workstations, and employee restrooms to make sure that a person in a wheelchair can gain access.

Do our services meet ADA and public accommodations requirements?

The services you provide to persons with disabilities must be at least equal the services you provide to non disabled persons. All organizations awarded grant projects through WSDOT are required to be in full compliance with the Americans with Disabilities Act (ADA) on the first day of services under the project.

Requirements for fixed route or general dial-a-ride services

Complying with ADA requirements means you will need to make sure that your services are designed in a manner that enables persons with disabilities to access them. This can be accomplished in various ways:

- If you provide fixed route service:
 - ◆ Make sure that all the vehicles used for the service are equipped with wheelchair lifts and securement stations, and are ADA compliant.
 - ◆ You must provide complementary paratransit service that extends at least $\frac{3}{4}$ of a mile outside of all fixed routes you operate.
 - ◆ Ensure that all drivers announce stops along the route.
 - ◆ If your organization has policies in place where persons with disabilities must apply and be “qualified” for complementary paratransit service, make sure that the procedures you use are complete and take into consideration the applicant’s physical ability or inability to access a fixed route.
- If you provide general public dial-a-ride service, persons with disabilities must also be able to access that service.

Note: Under this scenario, the reservation requirement for persons with disabilities must be the same as those for the general public.
- You may choose to provide route deviated service. This is a fixed route that is designed to deviate off the route to pick up a passenger and then return to the route.

Requirements for intercity bus service

Because of the nature of Intercity Bus service, the requirements are slightly different. Complementary dial-a-ride or route deviated services are not required. However, the vehicles and facilities you use when picking up passengers must be ADA accessible.

What do I need to know about service animals?

Under ADA, your organization is obligated to allow service animals to accompany persons with disabilities both on your passenger service vehicles and in your facilities.

Definition of service animal

Most people think of a service animal as a dog that assists a visually impaired person. However, that is not always the case. Service animals come in a variety of forms. The only qualification is that the animal be trained to perform a task for a person with disabilities. Service animals are defined by the U.S. Department of Transportation as any guide dog, signal dog, or other animal individually trained to work or perform tasks for an individual with a disability, including but not limited to:

- Guiding individuals with impaired vision
- Alerting individuals with impaired hearing to intruders or sounds
- Providing minimal protection or rescue work
- Pulling a wheelchair, or
- Fetching dropped items

How to tell the difference between a service animal and a pet

Many service animals wear special collars or harnesses, or are certified and have identification papers. If you are uncertain if a specific animal is a service animal or a pet, you may ask a person with an animal if it is a service animal needed for a disability. However, you may not ask the person for proof.

Is more information available?

Detailed information about the regulations are outlined in 49 CFR part 27, *Nondiscrimination on the Basis of Handicap in Programs and Activities Receiving or Benefiting from Federal Financial Assistance*, and 49 CFR part 37, *Transportation Services For Individuals With Disabilities (ADA)*. Copies of these regulations can be found in the reference manual that accompanies this guide. To get more information on ADA requirements:

- Refer to the “Thomas Guide to ADA” or
- Contact the Governor’s Office on Disability Issues and Employment, ADA Clearinghouse at (360) 438-3168 or 1-800-949-4232

Sensitive Information

As a public transportation provider and an employer, you often deal with confidential information about employees and your customers. There are certain laws and regulations that restrict the type of information you are allowed to release. In addition, some agencies that you receive matching funds from may require specific policies regarding sensitive or confidential information.

Customer’s right to confidentiality

Confidentiality should be reviewed regularly in each program. Drivers and dispatchers often know or become familiar with riders. This is particularly true with special needs service. While it is desirable to establish a positive relationship with

riders, it is important to safeguard any personal information to avoid violating a person's right to confidentiality. Below are examples of violations of confidentiality and recommended actions to avoid such violations:

- Issue - Information received from or about riders is repeated to persons other than the Manager. Riders may confide in a trusted employee. It is tempting to share this information with others.
- Recommended Practice
 - ◆ Encourage employees to share their concerns with the Manager, but not with other drivers, family or friends. Only information that the Manager "needs to know" can be communicated. Even the names of individuals receiving service from a program must not be shared with anyone outside your organization.
 - ◆ Information about a rider must not be shared, unless it is necessary to obtain needed services and the rider has given written consent. If a rider is not able to give permission to share information for their well being, the employee and Manager should use their best judgment to share information only to ensure that needed services are provided.

Note: Under some circumstances, the transportation employee is required to share information. This applies when it relates to suspected abuse of children or vulnerable adults. If abuse is suspected, this information must be conveyed to the Manager, but not to other drivers, family or friends.

Employee's right to confidentiality

Employees are often required to share confidential information with their supervisor and/or manager. A manager often receives information regarding an employee's medical condition for leave issues or the results of a drug and alcohol test. This information should not be shared with anyone that is not authorized to receive the information under federal and/or state regulations.

To avoid violating an employee's right to confidentiality, your organization should have clear procedures in place to address how sensitive information may and may not be shared with others.

Personnel policies

There are a variety of personnel policies that are required for all organizations. This section provides information on what is expected by WSDOT and FTA.

What about employee conduct?

This section applies to organizations that receive FTA funds. However, WSDOT considers the policies outlined in this section as best practices. If your organization FTA funds, you are required to have written personnel policies in place which address:

- How employees are to conduct themselves
- What constitutes misconduct
- Disciplinary procedures
- The course of action that must be taken if someone believes there is a violation of the policies.

Your organization is also required to establish written policies to keep the work environment free from harassment, coercion, and intimidation of any form. The policy should include the following elements:

- A definition of behavior that is constitutes to harassment, intimidation, or coercion.
- The process for filing a claim.
- The process used to investigate claims.
- Disciplinary action and corrective measures that will be taken.

Note: For more information about these requirements, refer to your agreement with WSDOT and 49 CFR part 18, or 49 CFR part 19, whichever is applicable to your organization. Copies of the CFR's can be found in the reference manual that accompanies this guide.

What ethics policies are required?

This section applies to organizations that receive FTA funds. However, WSDOT considers the policies outlined in this section as best practices. If your organization was awarded FTA funding, you are required to develop and implement policies and procedures specific to ethical conduct of their employees and representatives. The policies must include:

- Written Code of Ethics
- Debarment and Suspension
- Bonus or Commission
- Restrictions on Lobbying
- Employee Political Activity
- False or Fraudulent Statements and Claims

Written code of ethics

The Code of Ethics establishes standards of conduct for employees and representatives of your organization involved with your FTA project. The required Code of Ethics must cover:

- Gifts and Gratuities
- Personal Conflict of Interest
- Organizational Conflict of Interest
- Penalties for violations of the code of ethics

Gifts and gratuities

In relation to your FTA project, neither your employees, nor anyone else representing your organization may accept or solicit gifts, gratuities, favors, or anything that has a monetary value from current or potential subcontractors. However, you may set minimum rules where a gift is unsolicited and of nominal value.

Personal conflict of interest

Personal Conflict of Interest policy prohibits your employees and your organization's representatives from participating in the selection, award, or administration of a contract if there is a perceived or real conflict of interest. A conflict of interest would arise when an employee, officer, board member, or other representative has a financial or other interest in the entity submitting a bid/quote or selected for an award, or if the entity is owned or operated by:

- The employee, officer, board member, or other representative.
- Any member of their immediate family.
- Their partner(s).
- An organization that employs or is about to employ any of the above.

Organizational conflict of interest

In addition to personal conflict of interest, you must also establish policies to avoid any organizational conflicts of interest. This type of conflict exists when the nature of the work to be performed under a proposed contract may, without some restrictions on future activities, result in an unfair advantage to a specific contractor or impair their objectivity in managing the subcontract. Examples of organizational conflict of interest include, but are not limited to:

- Disclosure of information related to an upcoming call for projects that is not provided to all potential bidders at the same time.
- Getting assistance from a potential subcontractor in development of specifications or a request for proposals.

What about bonus or commission and restrictions on lobbying?

In addition to the code of ethics, your organization will need to implement procedures to ensure that you do not pay any bonus or commission to anyone in order to obtain the award of a grant project. If your organization receives FTA funding, you also need policies in place to ensure that no one in your organization uses federal funds for the purpose of lobbying in connection with the award of a FTA project. In addition, if you use any of your own funds for lobbying purposes, you are required to report your lobbying activities to FTA on form LLL. For a copy of that form, contact the FTA at (206) 220-7954.

What are the restrictions on employee political activity?

The employees and representatives of your organization are not allowed to use resources paid for with grant funds for political purposes. This includes, but is not limited to:

- Personal campaign posters posted on grant funded equipment and/or facilities
- Charging reproduction costs of political materials to a grant project
- Using grant funded resources to support or oppose a current ballot measure

How about false or fraudulent statements and claims?

All information you provide to WSDOT must be, to the best of your knowledge, accurate and complete. There are severe penalties for falsifying information about a grant funded project.

Note: For more detailed information about the ethics requirements please refer to the “Ethics” clause in your contract with WSDOT and in federal regulations:

31 U.S.C. subsection 3801 and 49 C.F.R. part 31

Passenger code of conduct

WSDOT does not require that you maintain a code of conduct for the passengers you carry. However, for the protection of your organization and your employees, it is highly advisable to develop and implement a written code of conduct that is distributed to passengers. The code of conduct should include:

- What constitutes unacceptable behavior
- Under what conditions you will allow (or disallow) food or beverages on your vehicle(s)
- The consequences of violating the code of conduct
- If service is discontinued to a passenger, what steps they must take to regain service.
- How to file a complaint if someone feels that they were unfairly refused service.

When developing your passenger code of conduct it is important that you include reasonable expectations that are not discriminatory.

Other regulations

There are other requirements for your personnel policies. More detailed information can be found in the following state and federal regulations:

- Title VI, Civil Rights Act
- Section 504, Rehabilitation Act of 1973
- The Federal Transit Act
- RCW 9.91.010

Complaints

There are numerous types of complaints that may be received by your organization. All complaints must be investigated immediately and, if necessary, action taken to correct the problem. The information below will help you determine what course of action should be taken. You may receive complaints alleging discrimination in the provision of your services, employment practices, or a perceived misconduct of your employees or other individuals representing your organization. This section will provide an overview of the types of complaints, entities that may receive those complaints, and requirements and best practices on how to address complaints.

Who may file complaints?

Complaints alleging discrimination or misconduct may be filed by a variety of individuals or organizations, such as:

- Employees
- Customers
- Bidders/Suppliers
- The General Public

What Agencies may receive complaints?

Most complaints will be received directly by your organization. However, individuals may file their complaints with federal or state agencies and labor unions. The state and federal agencies that may receive complaints include, but are not limited to:

- Washington State Agencies
 - ◆ Department of Transportation
 - ◆ Utilities and Transportation Commission
 - ◆ Attorney General's Office
 - ◆ Department of Social and Health Services
 - ◆ Department of Labor and Industries
 - ◆ State Auditor's Office
- Federal Agencies
 - ◆ Human Rights Commission.

- ◆ Department of Labor.
- ◆ Federal Transit Administration.
- ◆ Equal Employment Opportunity Commission.
- ◆ Department of Justice

These agencies may also receive complaints from individual(s) who feel that their issues were not adequately addressed or their problem was not resolved.

If a complaint is received by WSDOT, it will be forwarded to your chief executive officer for resolution. WSDOT will expect that the complaint receives immediate investigation and action. However, if the complaint is filed against your chief executive officer, WSDOT will conduct its own investigation.

Requirement and best practices for handling discrimination and misconduct complaints

To help safeguard your organization from complaints you should communicate your personnel policies to all employees and make sure that they understand what types of behavior are unacceptable as well as corrective action that may occur.

In order to maintain your credibility and insure your ability to continue as a contractor or grantee of WSDOT, all written complaints must be dealt with immediately. You need to have procedures that address the course of action that will be taken if and when complaints arise. If you don't have procedures in place, you must develop and incorporate them into your organization's administrative and personnel policies. The procedures should include:

- A requirement that the complaint be put in writing and include the alleged offense and circumstances.
- How the complaint will be investigated, including confidentiality.
- Corrective action.
- Issuance of findings.
- Notification to the person filing the complaint, informing them of your findings and what corrective measures were taken.
- Retention of the working file for each complaint received (this file must be retained for three years beyond the end of your FTA project).

What about unfair competition?

If your services were expanded and this resulted in a decline of business for a private sector transportation provider you may receive complaints alleging unfair competition. Organizations are required to have procedures in place to process and respond to any complaints received. The procedures should include the following elements:

- Person(s) assigned with the responsibility of receiving, investigating, and responding to these complaints.
- An appeal process if the individual or organization filing the complaint is not satisfied with your response. The appeal process must identify a mediator or mediation panel that does not include employees or board members of your organization.

If either party is not satisfied with the mediator's decision, they may appeal the decision to WSDOT's Public Transportation and Rail Division. Appeals must be filed with the Public Transportation and Commute Options Office Manager within 30 days of the mediator's decision and include the following:

- An original signature of the chief executive officer of the entity filing the appeal
- The grounds under which the appeal is being filed
- A copy of the mediator's decision

A copy of the appeal must be sent by the entity filing the appeal to the other party involved. Once PT&CO manager receives the appeal she will review the decision and the procedures followed from the time the initial complaint was received by your organization. The PT&CO will review the procedures that were followed and issue a determination on the appeal.

Can displaced employees of other transportation providers file complaints?

Employees of other transportation providers may file complaints if they were laid off by a competitor as a result of decline in their employer's business that they feel was caused by the expansion of your transportation services. As with other complaints, it is important to handle the issue immediately. If you were awarded a 5311 or 5311(f) project you are also subject to the 5333(b) Labor Protections. Under 5333(b) you have the responsibility of accommodating any employees that are displaced as a result of expanding your services. This may include, but is not limited to, the following:

- Hiring the displaced employee in an equivalent pay range, or
- Provide training for the displaced employee to seek work in another field.

Complaints of this nature may also be filed directly with the U.S. Department of Labor. For more information on the Requirements of Section 5333(b) Labor Protection see Chapter 1 "Labor Compliance Issues" and the *Rural Transportation Employee Protection Guidebook* in the reference manual that accompanies this guide.

Safety, Security, and Emergency Management

In any public transportation program, safety and security is, and should be, a primary concern. Every day, your organization is trusted with providing safe and reliable transportation to the general public and persons with special needs. Events in the world today have made this even more important. Public transportation providers are now faced with increasing security issues as well as traditional safety concerns.

This section is designed to provide guidance on meeting federal requirements as well as recommendations in ways to enhance the safety and security of your system. In the pages to follow, you will find information on:

- Drug and Alcohol Testing
- Bus system safety and security
- Emergency management

Drug and Alcohol Testing

FTA Drug and Alcohol testing requirements and regulations may seem overwhelming. However, WSDOT staff will provide technical assistance to your organization. The information below is meant to provide an overview of the requirements and what is expected of your organization. For detailed compliance information, FTA published comprehensive guidelines and a best practices guide that includes sample policies and forms. These documents are:

- *Implementation Guidelines for Drug and Alcohol Regulations in Mass Transit* (revised August 2002)
- *Best Practices Manual: FTA Drug and Alcohol Testing Program* (published March 2002)

Note: If your organization is required to have a Drug and Alcohol testing program, WSDOT will provide your Drug and Alcohol program manager with the applicable guideline(s). These documents are also available on the Internet at www.transit-safety.volpe.dot.gov/Publications/

Who must have a program?

If your organization receives FTA 5309, 5311, 5307, or JARC funding through WSDOT, you are required to have a drug and alcohol testing program that complies with 49 CFR Part 40 and 49 CFR Part 655. If your organization does not receive FTA funding but operate vehicles that require commercial driver's licenses, you must conduct testing in accordance with the USDOT Motor Carrier Services Administration under 49 CFR Part 382.

How do organizations comply with the FTA requirements?

Each organization that is required to have a drug and alcohol testing program must develop and implement a drug and alcohol testing policy that applies to all safety sensitive employees and their immediate supervisors. Your organization's board

must adopt the policy (in the case of a private for profit organization, the policy must be signed by the organization's chief executive officer).

What must the policy include?

The FTA regulations are very specific about the minimum contents of the drug and alcohol testing policy. Those elements are detailed in 49 CFR Part 655. In addition, your organization's policy must identify which portions of the policy are covered under the FTA and DOT regulations and which elements you include under your organization's authority.

FTA allows organization's to refer to the regulations instead of providing detailed information about each element of the policy. However, if you choose to do this, you must have a copy of the regulations readily available to employees. While this practice is allowable, it is not necessarily advisable. You should take care when writing your policy to ensure that your employees clearly understand what it contains and how this impacts them. Sample policies are available in FTA's Best Practices Manual.

Which employees are subject to testing?

Your organization must test all employees that perform safety sensitive duties and those who supervise safety sensitive employees. FTA defines safety sensitive duties as:

- Operating a passenger service vehicle, whether or not the vehicle is currently in service
- Operating a vehicle that requires a Commercial Driver's License
- Controlling dispatch or movement of a vehicle
- Performing maintenance on a passenger service vehicle
- Carrying a firearm for security purposes

What drugs are covered by the test?

Your organization's testing program must cover the following drugs:

- Marijuana
- Cocaine
- Opiates
- Amphetamines
- Phencyclidine

What type of training is required?

All safety sensitive employees must receive 60 minutes each on the effects of drug and alcohol use in the workplace. This training must also include information about your organization's drug and alcohol testing program and policy. In addition, the person(s) designated by your organization to make reasonable suspicion

determinations must receive training on the physical, behavioral, and performance indicators of probable drug use and alcohol misuse.

In addition to the required training, your drug and alcohol program manager should receive training on the FTA requirements. This training is available through the Transportation Safety Institute (TSI). Information about their training calendar can be found on the Internet at: <http://www.tsi.dot.gov/> Additional training may be available through the Washington State Transportation Training Coalition (WSTTC). Information about WSTTC can be found on the Internet at www.wsttc.org or you may contact them by phone at (360) 586-1800.

When are drug and alcohol tests conducted?

FTA requires five categories of substance abuse testing be conducted.

The following is a list of the testing categories. For detailed information about each category, please refer to FTA's Implementation Guidelines and 49 CFR Part 655.

- Pre-employment
- Reasonable suspicion
- Post Accident
- Random
- Return to Duty
- Follow-up

Note: If your organization has a zero tolerance policy, you are not required to conduct return to duty or follow-up testing. However, if you hire someone who violated the FTA and USDOT regulations while working for a previous employer, you must ensure that the person has completed a treatment program recommended by the employer's Substance Abuse Professional (SAP) and make arrangements for the required follow-up testing.

What happens if an employee tests positive?

If one of your employees receives a confirmed positive drug test or tests positive for alcohol with a concentration of .04 or greater the employee must be immediately removed from safety sensitive duty and referred to an appropriate SAP. You may not allow the employee to return to safety sensitive duty until they complete the return to duty process. For detailed information on the return to duty process, refer to FTA's implementation guidelines and 49 CFR Part 40, subpart "O".

Note: If an employee tests positive for alcohol with a concentration of between .02 and .039 you must remove them from duty until:

- They test with a concentration below .02 or
- Their next duty shift but not less than a period of eight hours following the test.

What are the pre-employment requirements?

There are three steps related to the drug and alcohol program that must be done during the hiring process. Below is basic information about those steps. For detailed

information about each requirement, refer to the FTA Implementation Guidelines or 49 CFR Part 40.25.

- You must ask the perspective employee if they have ever tested positive or refused to test on any pre-employment drug or alcohol test administered by an employer covered by the DOT regulations. If the answer is yes, additional steps must be taken.
- If the perspective employee has worked for an organization covered by the DOT regulations in the past two years, you must obtain the drug and alcohol testing information from those employers.
- The perspective employee must submit to a pre-employment drug test at your direction. A negative test result must be obtained prior to placing the person in safety sensitive duty.

What about prescriptions and over the counter medications?

FTA does not currently require organizations to include over the counter drugs and prescriptions in their drug and alcohol program. However, some medications cause side effects that can create safety issues for your organization. For this reason, FTA strongly recommends that organizations include information about the use of prescriptions and over the counter medicines in their drug and alcohol testing policy.

In March of 2003 FTA published a tool kit to assist organizations in developing policies and practices as well as educating their employees about the use of prescription and over the counter medicines. A copy of the tool kit is available online at: transit-safety.volpe.dot.gov/Publications

Where can I get help?

Technical assistance in compliance with the FTA Drug and Alcohol Testing Program is available by contacting the WSDOT staff member listed in the front of this guide. In addition, many local transportation providers are willing to provide technical assistance and allow other organizations to send their employees to training courses they may be sponsoring.

Bus System Safety

The safety of the riding public is a primary concern to WSDOT. The public expects transportation providers to supply safe and reliable transportation. In addition, having a good system safety plan may help to reduce insurance rates for your organization.

Is a bus safety program required?

Currently neither WSDOT nor FTA mandates a formal system safety program. However developing a plan is strongly encouraged. In addition, many funding agencies require minimum safety standards and specific training for drivers including volunteers. You should check with the agencies that provide funding to your organization for specific information about their requirements.

What should a safety plan include?

A system safety plan may take a variety of forms. However, for a program to be effective, it should contain the following elements:

- Support of the organization's senior leadership
- Accident prevention program
- Worker's compensation
- Employment practices
- Preventing violence in the workplace
- Training
- Dispatch issues
- Accident investigation and review
- Vehicle inspections
- Preventative maintenance
- Emergency management

The Washington State Transit Insurance Pool developed best practices guides for bus operations and vanpool safety. Copies of these guides are available to the public online at www.wstip.org/services/services.html

What should I know about using Personal Autos (POVs) for passenger transportation?

Under state law there are minimum requirements for POV's used to provide passenger transportation services. The requirements state that the POV's shall:

- Have a valid state license and registration.
- Be equipped with functional heating and ventilation systems.
- Have functioning, clean, accessible seat belts that meet state and federal guidelines.

- Have functional doors and handles on all doors.
- Have an accurate speedometer and odometer.
- Have windows free from cracks; windshield chips must be properly sealed and not hinder vision.
- Have functioning interior lighting within the passenger compartment.
- Have adequate sidewall padding and ceiling covering.
- Have two exterior rear view mirrors, one for each side of the vehicle
- Not have damaged or broken seats, protruding sharp edges, etc. that may be hazardous to riders.
- Have fully functioning lights, turn signals, and windshield wipers.
- Have tires with tread depth exceeding state minimums.

What about volunteers?

Special care should be made when screening volunteers to provide passenger transportation. In December 2002 the Agency Council on Coordinated Transportation (ACCT) published the *Volunteer Drivers – A Guide to Best Practices*. The guide contains useful information about managing volunteer driver program including safety measures that can or must be taken when selecting a volunteer driver. To receive a copy of the guide, contact one of the staff members listed in the front of this guide. You may also access the guide on the Internet at www.wsdot.wa.gov/acct

Bus System Security

Even though a formal system security plan is not yet required, security has always been important to the public transportation industry. Because of recent events in the United States it is more important than ever that public transportation providers take measures to protect themselves and the passengers they serve. Each organization is encouraged to develop a safety and security plan.

Note: The contents of your vulnerability assessment safety and security plans are not subject to public disclosure laws under RCW 42.17.130.

Crime Prevention

Public transportation providers must regularly address various types of crime. Theft, vandalism, violence, and other illegal activities can each present a unique challenge to a system. However, taking some simple steps can dramatically reduce the occurrence of crimes against your organization.

- Develop and implement policies and procedures on:
 - ◆ Violence in the workplace
 - ◆ Vehicle and facility security

- ◆ Reporting crime to the proper authorities
- Provide training to employees on your policies and procedures
- Restrict access to your organization's facility
- Parking vehicles in locked areas

How do I protect my system from acts of terrorism?

Public transportation systems now need to be concerned not only about crime on their vehicles or in their facilities, the threat of terrorism has come into the picture. On the national level, public transportation is not seen as a primary target for a terrorist act, but it is seen as a method of delivery. The services provided by public transportation organizations are typically open to the general public, ready access to highly populated areas, such as shopping malls, and unlike the airline industry, you cannot send passengers and their baggage through a screening system. The information to follow will assist you in protecting your organization and the public.

Vulnerability Assessments

The first step in protecting your organization from acts of terrorism is to identify your organizations critical assets (facilities without which your organization either could not operate or operations would be significantly hampered). Typically, vulnerability assessments consist of a rating with points assigned to each of the following elements:

- Critical asset factor (determining the extent that a particular asset is critical to your operations)
- Deter and defend factors
 - ◆ Ability to provide protection
 - ◆ Relative vulnerability to attack
- Loss and damage consequences
 - ◆ Risk of casualties
 - ◆ Environmental impact
 - ◆ Replacement cost
 - ◆ Down-time
- Consequences to public service
 - ◆ Emergency response function
 - ◆ Government continuity
 - ◆ Communication dependency
 - ◆ Military importance
- Consequences to the general public
 - ◆ Available alternate
 - ◆ Economic impact
 - ◆ Functional importance
 - ◆ Symbolic importance

Training on conducting vulnerability assessments and developing your safety and security plan is available through the National Transportation Safety Institute. Information about that training is available online at www.tsi.dot.gov/

What measures can I take to enhance security?

Once you have completed your vulnerability assessment, you will want to develop and implement ways to reduce your vulnerability. The method you use will depend on the type of asset you are trying to protect. Some common measures taken by public transportation providers include:

- Restricting access to your non-public areas of your facilities (i.e. operations center, maintenance, etc)
- Periodic vehicle and/or facility inspections throughout the day/route to identify any suspicious packages
- Awareness training for employees and supervisors

Emergency Management

Managing and responding to emergencies is a multi-faceted issue. Your role will depend on the type of emergency and whether or not the emergency internal to your organization or is an external or regional emergency.

Internal emergencies

No matter how many safety precautions you may take, inevitably your organization may be involved in an emergency situation, such as a traffic accident. For that reason, it is advisable to have an emergency procedure in place and train your employees on what actions to take.

State and regional emergencies

Public transportation providers can play an integral role in responding to emergencies. This is particularly true in the case of an emergency that involves the evacuation of people from an area or transporting emergency response workers. The role of a public transportation provider will differ based on the type of emergency.

All organizations are encouraged to become involved with their local emergency response agencies. In rural areas these are typically part of the county government while in urban areas they are often part of the city government. Often, the emergency response managers are unaware of your services and the resources and/or assistance you can provide.

Many public transit systems are part of WSDOT's Mutual Aid Emergency Response agreement. The agreement facilitates aid that is provided between transit agencies party to the agreement and between those transit agencies and WSDOT.

Where can I find help?

WSDOT has staff available to assist your organization in developing your organization's policies and procedures related to system safety, security, and emergency response. Other public transportation providers may also be able to provide assistance. If your organization needs training, there are a variety of resources available:

- National Transit Institute (www.ntionline.com)
 - ◆ System Security Program Overview
 - ◆ System Security Awareness for Transit Employees (training available on CD Rom)
 - ◆ Security Incident Management for Transit Supervisors
- Transportation Safety Institute (www.tsi.dot.gov) – provides a wide range of public transportation safety and security training, including:
 - ◆ Transit System Safety
 - ◆ Transit System Security
 - ◆ Effectively Managing Transit Emergencies
 - ◆ Fundamentals of Bus Collision Investigation
 - ◆ Substance Abuse Management and Program Compliance

Washington State Transportation Training Coalition (www.wsttc.org). Sponsors a variety of training courses in the safety and security arena. The specific courses scheduled are dependant on the needs expressed by public transportation providers in Washington State.

Coordination and Community Outreach

In 1999 the Washington State Legislature created the Agency Council on Coordinated Transportation (ACCT). RCW 47.06B.010 requires ACCT to facilitate the coordination of transportation for persons with special transportation needs. The Legislature also requires specific state agencies to develop policies that encourage the coordination of special needs transportation. The Legislature stated that "...the public transportation agencies, pupil transportation programs, private non-profit transportation providers, and other public agencies sponsoring programs that require transportation services coordinate those transportation services..." A copy of the RCW can be found in the reference manual that accompanies this guide.

In response, ACCT has been working with communities to develop local coordinating coalitions. If you have a coordinating coalition in your community, keep them up to date on your project and (without supplanting transit) be open to modifications using coordination that would create a more efficient use of public transportation and be able to demonstrate the effectiveness of that modification. To see if you have a local coordinating coalition in your community see <http://www.wsdot.wa.gov/acct/local.htm>.

If no coordinating coalition exists in your community make arrangements to inform your local public transportation providers and social service organizations in your

community. Good organizations to contact include but are not limited to Senior Service Centers, Community Action Programs, local Medicaid Brokers, local Transits, and WorkFirst Local Planning Areas. If you are interested in developing a local coordinating coalition, contact the WSDOT staff members listed in the front of this guide.

Marketing is important

As discussed in other portions of this guide, marketing your service is required. It is also an important tool in ensuring the success of your project. In this section, you will find what the minimum requirements are and suggestions on how to enhance your marketing strategies.

What are the minimum requirements?

The minimum requirements are fairly simple. The services you provide must be marketed to the target population applicable to the grant program governing your project.

Who should the services be marketed to?

Who your services are marketed to will depend on the type of project you were awarded. Below are the target populations associated with each program.

- FTA 5310 program – your marketing efforts must be directed to persons with special transportation needs.
- FTA 5311 or 5311(f) program – Your services must be marketed to the general public.
- Paratransit/Special Needs – Your services must be marketed to persons with special transportation needs

How should the services be marketed?

Your services can be marketed in a variety of ways. Below are some low cost suggestions on how to inform the community about the services you provide.

- Publish flyers and schedules and service area maps and distribute them throughout your community. You may want to consider placing these at:
 - ◆ Medical facilities
 - ◆ Community centers
 - ◆ Sheltered workshops
 - ◆ Grocery stores
 - ◆ Senior centers
 - ◆ Group homes
 - ◆ Multimodal facilities
 - ◆ Community centers
 - ◆ Grocery stores

- ◆ Post office
- ◆ Medical facilities
- ◆ Social service offices
- ◆ Schools
- Develop and distribute trip planners that instruct the rider on how to reach popular destinations by bus.
- Placing public service announcements on local radio stations.
- Advertising in the local newspaper.

Note: When advertising in the newspaper, it is important that the ad is placed where everyone is likely to see it. It is not appropriate to advertise general public services in the senior section of the newspaper.
- Post schedules on your website
- Work with local media to encourage them to do feature articles in the newspapers.
- Placing appropriate markings on your vehicle(s) that state your service is open to the public and a phone number for people to call for information.

Are expenses for marketing grant eligible?

If you were awarded an operating or purchase of service project, the expenses for marketing your service are eligible and may be included in your budget when you submit your project for funding.

How should vehicles be marked?

The vehicles you use for your project must have signage that indicates they are for passenger services.

Note: Occasionally, vehicles purchased by local governments have the government logos on them with the phrase, “For Official Use Only” underneath. That type of signage is not appropriate. It may mislead the public into thinking that it is used for general governmental purposes, or that the public agency is misusing the vehicle. If your vehicle(s) have that statement, you must remove it immediately.

Where can I go for help?

The PT&CO has staff that can assist you in developing marketing materials. To receive assistance, contact the WSDOT staff member listed in the front of this guide.

What are the reporting requirements?

All public transportation grantees are required to submit Quarterly Progress Reports to the WSDOT. WSDOT uses the progress reports to account to the State Legislature, the State Transportation Commission, the Federal Transit Administration, and the Secretary of Transportation. In addition, WSDOT staff use the reports to highlight your successes and identify areas where organizations may need technical assistance. The information below will complete your progress in an accurate, consistent, and submitted in a timely manner.

Who must complete the Quarterly Progress Reports?

Progress reports must be submitted by all organizations receiving funds from these capital and operating grant programs:

- FTA 5309 Capital
- FTA 5310 Capital and Purchased Services
- FTA 5311 Capital and Operating
- FTA 5311(f) Capital and Operating
- Rural Mobility-Current Law
- Rural Mobility-New Law-Competitive
- Rural Mobility-New Law-Formula
- Paratransit/Special Needs-Non-Profit
- Paratransit/ Special Needs-Transit
- Job Access and Reverse Commute (JARC)

What information must be reported?

Below is an overview of the information that is required. Detailed instructions for completing the reports can be found in Appendix B of this guide.

- A **Project Narrative** needs to be included for each project identified in Appendix A in the grant agreement. Special emphasis needs to be placed on reporting for the new programs authorized by the State Legislature.
- An **Operating Expenditure Summary** needs to be submitted for operating projects
- A **Statistical Summary** needs to be submitted summarizing the service provided under operating projects.
- A **Capital Expenditure Summary** must be submitted for all capital projects
- A **DBE Report** must be submitted by organizations that were awarded FTA funding (except passenger vehicle purchase projects). This report is due with the September 30 submission.

Note: Organizations who intend on awarding contracts in excess of \$249,999 excluding bus procurements must also have a formal DBE Plan. Organizations

that qualify for this requirement will be notified. See DBE requirements, in this chapter, for more information.

- An **Annual Passenger Service Vehicle Condition Report** is due once a year with the December 31 submission.

When are the reports due?

Progress reports must be submitted four times each year for the periods ending March 30, June 30, September 30, and December 31. Reports are due within 45 days after the end of each three-month period.

Do we submit separate reports for each grant program or project?

You do not need to prepare separate reports for each grant program or project. However, you are required to submit a narrative report for each project identified in your operating grant agreement. Your Capital grant agreements may be summarized into one report.

Where do I submit the reports?

Submit your reports to the WSDOT staff member identified in the front of this guide at:

Washington State Department Of Transportation
Public Transportation and Commute Options Office
P.O. Box 47387
Olympia, WA 98504-7387

What happens if I fail to submit Semi Annual Progress Reports?

If a report is not received by WSDOT by the due date, any invoices submitted by the grantee will be held without payment until an acceptable report is received.

Who do I call if I need assistance regarding the Semi Annual Progress Reports?

Contact one of the WSDOT staff members listed in the front of this guide. We can also send you examples and electronic copies if needed.

Project visits

The WSDOT staff will conduct site visits with all organizations. These visits may last up to four hours depending on type of grant(s) and project(s) awarded to your organization.

What is the purpose of project visits?

The purpose of the project visits is to:

- Provide the organizations with an opportunity to consult with PT&CO staff
- Provide technical assistance
- Review financial records and processes
- Review other project records
- Review required written policies
- Verify compliance with the regulations associated with the receipt of federal funds
- Review preventative maintenance records and inspect vehicles, equipment and facilities purchased with FTA funds

How often do the visits occur?

The frequency of the site visits will vary depending on the type of project(s) your organization was awarded.

- Capital Projects - minimum of one visit every two years for the entire term that WSDOT hold title to the vehicle or equipment
- Operating Projects - minimum of once per year
- Purchase of Services - minimum of once per year
- Drug and alcohol program reviews – minimum of once during the course of the project. This review applies only to organizations awarded FTA 5309, 5311, 5311(f), and JARC projects.

What should you expect during a site visit?

The WSDOT staff member(s) conducting the site visit will use a checklist to ensure that each contractor and grantee is treated equally and all of the requirements are reviewed. A copy of each checklist can be found in “Appendix D” of this guide.

How do we prepare for a Site Visit?

To prepare for a site visit, it is recommended that you review the checklist to see what questions will be asked and what items will be requested. A negative response on the checklist does not necessarily mean that your agency is in non-compliance, the checklist is to ensure that all areas are covered and to facilitate discussion. WSDOT will make every effort to give adequate advance notice of the visit. It is important

that the appropriate staff be available during the entire site visit. This typically includes:

- General Manager
- Finance Director (for operating reviews)
- Drug and Alcohol Program Manager (for drug and alcohol program reviews)
- Maintenance Director (for capital project visits).

In preparation, you should review the applicable checklist and be prepared to discuss all items on the checklist. The following should be available when the PT&CO staff member(s) arrive.

- All types of projects
 - ◆ Charter exception, - If you provide charter service and receive FTA funding.
 - ◆ Ethics policy (FTA projects only)
 - ◆ Sample job descriptions
 - ◆ Volunteer drivers policy
 - ◆ ADA policy (if you have one)
 - ◆ Documentation of marketing efforts
- Operating projects only
 - ◆ Accounting records and procurement records.
 - ◆ Schedule of federal funds
 - ◆ Financial plan (if you have one)
 - ◆ Purchasing policy
 - ◆ Copies of any complaints filed against your agency
- Capital projects only
 - ◆ Certificate of insurance or self insurance
 - ◆ Procurement files
 - ◆ Additional information for capital (vehicles) projects:(required for all vehicles to which WSDOT holds title)
 - Altoona bus testing report (FTA funded projects only)
 - Federal Motor Vehicle Safety Standard report or a sticker on the vehicle (FTA projects only)
 - Final U.S. Buy America content report (FTA projects only)
 - Maintenance records of all buses purchased with state or federal funds

What should I expect during a site visit?

Depending on the scope of the review, the site visit may take up to four hours. The review will start with an introductory session laying out the scope of the review. There will be general sessions covering many of the compliance areas and separate sessions for the financial review and the vehicle inspections. To the extent possible, the PT&CO staff members will attempt to summarize any findings at the end of the site visit. At the exit interview, there will be opportunity to discuss what corrective actions need to be accomplished and what time frame would be realistic for the corrective actions to be taken.

Is there Follow-up to a Site Visit?

Within thirty days of the site visit, a letter will be sent to your agency describing any deficiencies, areas of non-compliance and recommendations. Generally the letter will summarize items discussed at the exit interview. However, it is possible that new items may come up subsequent to the site visit. In such cases, the staff will make every effort to communicate those to you prior to sending the letter.

Chapter 2

Operating and Purchase of Services Projects

The information in this section applies only to organizations awarded operating assistance and purchase of services projects. In addition to the requirements outlined in this section, if your organization was awarded FTA funds, you must comply with:

- The administrative requirements outlined in 49 CFR part 18 or 49 CFR part 19 which ever is applicable.
- The accounting requirements outlined in OMB Circulars A-87 or A-122, or 48 CFR part 31, whichever is applicable.

Note: Even though these regulations apply only to organization that receive federal funds, WSDOT strongly encourages all organizations to adopt the standards set forth in these CFR's and OMB circulars. Copies of those documents can be found in the reference manual that accompanies this guide. Neither FTA nor the Office of Management and Budget (OMB) have issued administrative requirements specific to projects awarded to private for profit organizations. However, per OMB guidance, private for profit entities will be held to the same standards as private non-profit organizations.

The most important items to remember while carrying out your operating project are:

- Put policies and procedures in place to ensure compliance with state and federal laws and regulations
- Make sure that your accounting and administrative procedures comply with the OMB circulars and FTA regulations
- You are expected to carry out the project as you described it in your grant application

The difference between operating and purchase of service projects

For the most part, the program eligibility and requirements described in this chapter apply to both operating grants and the purchase of services projects. However, there are some differences in how the project is managed and how the payments are calculated. The primary difference is explained below.

- Purchase of Services – Selected organizations enter into a contract for services with WSDOT. The payment for those services is made based upon a predetermined unit rate that is negotiated with WSDOT.

Note: The costs that are used to establish the unit rate on purchase of services contracts must meet the eligibility requirements described in this chapter.

- Operating – Selected organizations enter into a grant agreement with WSDOT. Grantees are reimbursed for their actual expenses less revenue received for the

project. Grantees must have an operating deficit to qualify for a reimbursement. See “What is the operating deficit” for more information..

What services are eligible?

Only the services identified in your grant agreement or contract with WSDOT are eligible. This section provides you with the additional eligibility information for each type of grant funding covered in this guide.

Note: A of the services provided must be ADA accessible. For more information see Chapter 1 “Disabled Persons’ Employment, Public Accommodation, and the Americans with Disabilities Act (ADA).”

What services are eligible for FTA 5310 purchase of service projects

If your organization was awarded a 5310 Purchase of Services project, the services you provide under that contract must be designed to meet the specific needs of elderly and persons with disabilities. The service may be either fixed route, route deviated, or dial-a-ride in nature. The service may be coordinated with other passenger services provided by your organization. However, you must have a system in place to distribute the costs between projects.

What services are eligible for FTA 5311 operating projects?

To be eligible for 5311 operating assistance, your services must be made available to the general public in rural areas. The type of service eligible includes:

- Fixed route with complementary paratransit service.
- Dial-a-ride service.
- Route deviated service.

If your organization provides transportation primarily to elderly and persons with disabilities, you need to develop and implement a policy for serving the general public. WSDOT will expect to see general public passengers listed on your quarterly ridership reports. Projects that serve only elderly persons and persons with disabilities are eligible only if:

- The projects will be undertaken in direct affiliation with general public transportation operations;
- The projects are under contract with a private or public transportation operator serving the general public; or
- The project is in a geographical area not served by general public transportation operators and the service is made available to the general public.

Note: As a condition of receiving these funds, your organization must advertise the availability of the service to the general public.

What services are eligible for FTA 5311(f) operating and purchase of services projects

Projects under the 5311(f) program must meet the federal definition of intercity bus service in order to be eligible. To be considered intercity bus service, the service must meet all of the following conditions:

- Connects two or more urban areas not in close proximity.
- Provides regularly scheduled fixed route service with limited stops.
- Has the capacity for transporting baggage carried by passengers.
- Makes meaningful connections to other intercity passenger services (if available).

***Note:** For the purpose of the 5311(f) Intercity Bus Program, “urban” is defined as an area that includes a municipality or other built-up place...*

Definition of meaningful connections

In order to be considered a meaningful connection to other intercity providers, your schedules must be coordinated, whenever possible, with the other service providers stopping at the intercity facility.

Feeder service may be eligible

Intercity bus feeder service is not required to have the same characteristics as standard intercity bus service. It may include demand response service that connects with an intercity provider. However, the service must be coordinated with the intercity provider(s) to ensure that a meaningful connection is made. Funding from a feeder service project may not be used to supplement other demand response services provided by your organization.

What services are eligible for State Rural Mobility grants?

The Rural Mobility allocations are the most flexible funding source administered by PT&CO. In all cases the service may include both special needs and general public transportation. Your project may be carried out using a variety of modes. However, there are some minor restrictions on the location of the services provided. The services you provide under a rural mobility grant will depend on which Rural Mobility allocation your organization was awarded. Below is an overview of those restrictions:

- Rural Mobility-Current Law Competitive: The services must be provided to small cities and rural communities.
- Rural Mobility-New Law Competitive: The services must be provided in rural areas that are either un-served or under served by public transit.
- Rural Mobility-Formula program: There are no restrictions to the type of passenger services provided with these funds.

What services are eligible for the state Paratransit/Special Needs grants?

The services provided with either allocation from the Paratransit/Special Needs programs must be targeted to special needs populations. In addition, the service must be in addition to any special needs services provided by your organization prior to the award of your project.

What expenses are eligible?

For an expense to be eligible for grant funds it must be directly related to your project. However, there are conditions on some types of expenses. The information below will assist you in determining whether or not the expense is eligible.

Depreciation and capital reserve accounts

This section provides guidance on determining the eligibility of depreciation on capital assets and how capital reserve accounts may be established and funded.

What is depreciation?

For the purposes of grant projects, depreciation is defined as the annualized, straight-line reduction in the purchase cost of capital assets. Capital assets are any tangible items for which you:

- Maintain physical inventory records,
- Identified as having a useful life expectancy of at least one year, and
- Purchase for a unit price of at least \$500.

The reduction of an asset's value is accomplished by a schedule that reduces the value of an asset at a rate based on the expected useful life of the asset. Depreciation is an eligible expense against your operating grant only if:

- The applicable revenue received for the depreciation expense is placed into a capital reserve account and
- The equipment was originally purchased with non-federal funds (FTA projects only)

Capital reserve accounts

All organizations are encouraged to establish and maintain a capital reserve account. This account may be restricted to capital replacement.

How to establish a capital reserve account

To establish a capital reserve account, your Business Council or Board of Directors must make a resolution to that effect. However, funding a capital reserve account is not an eligible expense under your grant agreement.

Organizations may use profits gained from other funding sources as long as the funding agency agrees. Any amount above the cost to provide the services associated with the matching source may be a candidate for establishing a capital reserve account so long as your organization has satisfied the matching ratio for your project. However, you need to review the terms and conditions imposed by the funding source you intend to use. If your contract with that agency does not permit a profit or was made based on a line item budget that did not include a capital reserve account, you cannot use any of the revenues to fund the account.

Note: Any revenue from your project that is diverted to the capital reserve account must be used for your passenger transportation services. You may not use grant funds provided by WSDOT for contributions to a reserve account.

Vehicle use fees

While the expense of a capital reserve account is not grant eligible, you may charge a vehicle use fee to the grant project. In calculating this fee, you may include only the vehicles owned in full by your agency (vehicles purchased with grant funds cannot be included). The rate should be based on the time operated in passenger service and/or miles driven in passenger service applicable to your project. Revenues from this fee must be applied to a capital reserve account and retained for passenger transportation purposes.

Personal vehicle mileage for volunteers

Occasionally, organizations use volunteers to transport persons with special transportation needs. This is an eligible activity as long as all of the following conditions exist:

- A written policy must be in place regarding the use and reimbursement of volunteers using their own vehicles.
- The policy must include transportation of general public persons as well as elderly and persons with disabilities.
- Volunteers must be under a contract with your organization.
- Trips provided must not conflict with local taxi operations.
- Shared rides must be encouraged.
- Rides are approved and dispatched in advance of the trip.
- The mileage rate reimbursed to volunteers must not exceed the current federal mileage rate. Contact the WSDOT staff members listed in the guide to determine the applicable rate.

Many rural organizations rely heavily on the use of volunteers in their services. Managing a volunteer driver program can be a daunting task. However, in 2002 the Agency Council on Coordination (ACCT) published the *“Volunteer Driver-A Guide to Best Practices.”* The guide is designed to assist organizations in establishing and managing a volunteer driver program. It also outlines the various requirements and

provides information on best practices found throughout the United States. For a copy of that guide, contact one of the WSDOT staff members listed in the front of the guide. You may also access the guide online at www.wsdot.wa.gov/acct/

Travel expenses

Some employee travel expenses are eligible. Use the information below to determine which expenses are eligible.

Note: The following information applies only to your employees. Travel expenses incurred by board members **are not eligible unless otherwise authorized by WSDOT**. Your CEO's or Agency Director's travel expenses are not eligible for reimbursement unless the sole purpose of the trip was related to your project, or the expenses are spread equitably between all programs. If an employee was awarded an RTAP scholarship to attend training, the local portion (if any) is not an eligible expense for an FTA funded project.

Are in-state travel expenses eligible?

Travel expenses incurred by employees are eligible for reimbursement if the trip is directly related to your project. The rate your organization will be reimbursed is based on the current per-diem and lodging rates for state employees. For rates specific to areas of Washington State, contact one of the WSDOT staff members listed in the front of this guide.

What about out of state travel?

As a rule, out of state travel is not eligible for reimbursement. However, if an out of state trip is directly related to your project, the expenses for the trip may be eligible if you submit a written request to the WSDOT's Public Transportation and Commute Options Office and receive approval prior to leaving. This request must describe the purpose of the trip and how it will benefit your project. A letter of approval or denial will be sent to your organization and should be kept on file.

Note: WSDOT reserves the right to deny the eligibility of the some or all of the related expenses for an out of state trip.

Audit expenses

If your organization is required to have an independent auditor, or the State Auditor's Office, perform an audit of your financial records and compliance with applicable local, state and federal laws. The cost of the audit is grant eligible if all of the following conditions are met:

- A formula must be in place to distribute the cost of the audit across all the programs your organization is involved with.
- The audit is in compliance with OMB circular A-133.
- The Audit must be conducted by an appropriate entity.
 - ◆ Governmental Agencies - The State Auditor's Office

- ◆ Private non-profit or for-profit organizations - A certified public accountant selected through a competitive bidding process within three years of the beginning of the audit.
- The principles for determining costs must comply with:
 - ◆ Governmental agencies - OMB circular A-87
 - ◆ Private non-profit organizations OMB circular A-122
 - ◆ Private for-profit organizations must comply with 48 CFR Part 31 and OMB Circular A-122

Note: If your organization is required to have an annual audit, you must submit a copy of the audit report to WSDOT, for each year covered by your grant agreement. For more information on the audit requirements see Chapter 1 “Guidelines for all Projects.”

Administrative expenses

Administrative costs include items such as salaries and benefits, supplies, travel, interest on working capital, marketing, and depreciation. These costs are eligible only if they are allocated between programs and modes of transportation based on a formula that recognizes the contribution each makes to the programs.

Employee leave

The expense of an employee’s leave is grant eligible. However, there are some conditions on the eligibility depending on how your organization accounts for leave.

- If your organization charges the leave to the grant as it is earned if:
 - ◆ Your organization has a “buy out” policy on the leave. In other words, the employee must be able to receive cash payment should they leave your organization while they still have leave on the books, and
 - ◆ Your organization established a cash reserve where you deposit funds to cover the leave earned by employees.
- If your organization charges employee leave to your project as the leave is taken you may not charge more leave to the project than what the employee would earn during the calendar period covered by project.

Local matching funds

Matching funds represent your organization's share of the project costs. The total federal, state, and local share of your grant can be found on front page of your contract/agreement with WSDOT. However, each project that you were awarded funding for may have a different matching requirement.

What are the match requirements?

The matching requirement for each project varies depending upon the level of matching funds, if any, that you identified in your application for funding. The specific local match for your project is identified on the first page of your contract/agreement with WSDOT. In the case of multiple projects, refer to Appendix A of your agreement with WSDOT for the local matching ratio for each project. General information about matching funds is discussed below:

Are the funds eligible to be used for match?

Your organization's portion of the net expenses may be obtained from a variety of sources. Eligible matching funds may include the following:

- Local tax revenues such as sales tax receipts
- Funds from other public agencies
- Private donations (except passenger donations)
- Advertising revenue
- Foundation grants
- State funds received from agencies other than WSDOT (unless you are notified otherwise)
- In-kind services (see Project Records for more information)
- Revenue from other grants awarded to your organization
- Other federal funds for up to 50 percent of your match (FTA funded projects only)
- Other funds from your organization not related to the passenger services provided under your project (i.e. freight, advertising, etc.)
- Surplus or retained earnings from other activities of your organization

Note: The local share/match for FTA funded projects must not be derived from USDOT funds. Federal funds that were passed through a State Social Service Agency, such as Medicaid, are not considered to be federal for the purposes of this program.

What should I know about in-kind?

If you were awarded FTA funding for your project, in-kind contributions may be used as match, but at least one half of the matching funds must be in cash derived from state, local or private sources. The value of these in kind services must be formally

documented and supported and represent a cost which would otherwise be eligible under the grant. WSDOT must approve in-kind match. Guidance on valuing in-kind services is located at www.independentsector.org/programs/research/volunteertime.html.

Can I sell advertising space?

The FTA encourages organizations to find additional resources to supplement their projects. One way of accomplishing this is to sell advertising space on your passenger service vehicles. The advertising revenues may be used as match for your project.

What guidelines must I follow?

If your organization decides to sell advertising space on your vehicles, you must have policies in place indicating the types of advertisements you are willing to post. Some basic guidelines are:

- Advertisements that may be offensive or controversial should be avoided, including, but not limited to:
 - ◆ Alcoholic beverages
 - ◆ Tobacco products
 - ◆ Political issues
- Political campaign posters may only be posted if equal opportunity is given to all incumbents.

Note: It is illegal to use public funds for political purposes. Items such as personal political posters or posters indicating your organization's position on political issues must not be posted.

Purchasing regulations

All organizations awarded FTA funds must develop formal purchasing policies. However, WSDOT encourages organizations awarded state funds to develop purchasing policies as a best practice. The specific federal requirements are identified in OMB Circulars A-87 and A-122, or 48 CFR part 31 (whichever is applicable). In addition, organizations awarded FTA funds must comply with the "Common Rule," 49 CFR part 18 or 49 CFR part 19 (whichever is applicable). The following provides basic information to assist you in developing purchasing policies and procedures that comply with the federal requirements.

Note: In addition to the basic requirements described in this section, purchasing procedures for private for profit and non-profit organizations, who were awarded FTA funds, must be in compliance with FTA Circular 4220 1.E *Third Party Contracting Guidelines*. A copy of that circular can be found in the reference manual that accompanies this guide.

What purchasing procedures are required?

Your organization is required to maintain written purchasing procedures. These procedures at a minimum should consist of the following:

- Delegation of purchasing authority (dollar threshold for purchases that relates to employee positions). The following is an example of purchasing delegation, your policies may differ:
 - ◆ Purchase of vehicle supplies such as gasoline may be made by drivers.
 - ◆ Purchases of items costing less than \$50 may be made by specified employees.
 - ◆ Purchase of items or services costing between \$50 and \$400 may be made if approved in advance by the chief administrative officer or director.
 - ◆ Purchases of items or services costing between \$400 and \$1,500 may be made if quotes are obtained by telephone, in advance, and approved by the administrative officer or director.
 - ◆ Purchases of items or services costing more than \$1,500 may be made if a formal bidding procedure is followed, and subject to approval by the chief administrative officer or director.
- A review of proposed purchases to avoid unnecessary or duplicated purchases
- Consideration of consolidating or breaking out procurements to obtain a more economical price
- A written code of conduct for employees in the award or administration of contracts (to avoid possible or perceived conflict of interest)
- Goals or good faith efforts to purchase from Disadvantaged Business Enterprises (FTA projects only). See Chapter 1 “DBE Requirements” for more information.

Project records

Your organization is expected to keep records on your project in order to evidence project activities and costs. In addition, if your organization receives FTA funding, your financial records must comply with OMB circular A-87 (government agencies) or A-122 (non-profit and for profit organizations), whichever is applicable. WSDOT also uses the OMB circulars as a standard when assessing whether or not a state funded organization can evidence project costs.

What does “comply with the OMB circulars” mean?

In order to comply with the OMB circulars, your organization is required to keep a separate set of accounts, or a section within your accounting system that clearly identify project costs and associated revenues. In addition, your accounting records must include:

- Vouchers prepared for all payments made to vendors. These vouchers must identify:
 - ◆ What was purchased.

- ◆ Who the purchase was made from.
- ◆ The programs that were charged for the expenditures.
- Time sheets kept for each employee charging to the project. The time sheets must include the hours spent working on the project.
- If your matching funds include in-kind contributions, you must retain documentation which identifies:
 - ◆ How you determined the value of the goods or services.
 - ◆ Who the individuals and/or organizations were that provided the goods or services.
 - ◆ What goods or services were provided by those individuals or organizations.

Note: The method for establishing the value of in-kind contributions must be approved in advance by WSDOT on an annual basis. In addition, the value of the in-kind goods/services must be included as an expense for your project as well as a matching source.

What other types of records should I keep?

Your organization will also be required to keep other information regarding your project(s) that includes:

- Ridership information
- Marketing materials
- Schedules
- DBE purchasing efforts
- Any other information helpful in showing the success of your project
- Other records identified elsewhere in this guide

How to invoice WSDOT for your operating projects

To receive payment for expenditures incurred under your agreement a Reimbursement Request form must be completed, signed by your financial manager or authorized representative, and submitted to WSDOT's Public Transportation and Commute Options Office. Although, it is preferred that Reimbursement Requests are submitted quarterly, you may submit your request monthly. All required quarterly Progress Reports must be submitted along with your Reimbursement Request prior to payment. See Appendix A, Forms for the Reimbursement Request forms and detailed instructions for completing the forms.

What is the operating deficit?

In order to qualify for operating grant funding you must have an operating deficit equal to the subsidy being requested. To determine if your organization has an operating deficit use the following formula:

- Determine your Net Operating Expenses – gross expense less farebox collections and ineligible expenses

- Add together all of the operating revenue you use for your project to determine your total revenue. Do not include revenues the funds from your grant award or local funds that are deposited in a capital reserve account. Typical revenues include:
 - ◆ Local tax revenue
 - ◆ State and local subsidies
 - ◆ Interest income
 - ◆ Advertising revenue
 - ◆ Freight revenue
 - ◆ Net income from contract service
 - ◆ Other operating subsidies such as Medicaid or Title III
 - ◆ Miscellaneous revenues
- Operating Deficit – Subtract your total operating revenues from your net operating expenses.

In all cases, operating deficits must be calculated based on actual operating income received and/or earned versus actual expenses paid and/or incurred.

What if my organization doesn't have an operating deficit?

If your organization has a net profit for the operations of your services you are not eligible to receive operating assistance. However, payments are calculated on a year to date expenses versus match. It is not uncommon for your organization to have net profits during one quarter and net losses during another quarter. Reimbursement Request forms must be completed and submitted throughout the entire contract period even if the billing amount is zero.

Chapter 3

Capital Projects

The information in this section applies to all grants made for the purchase of equipment for passenger transportation services. Only the equipment specified in the grant agreement will be eligible for reimbursement.

Note: This section contains basic information associated with equipment purchases. Your organization must also follow the purchasing guidelines found in Chapter 1, Guidelines for All Projects.

About purchasing equipment

There are numerous requirements and detailed process that you must follow when purchasing equipment with grant funds. This is particularly true when using Federal Transit Administration (FTA) funding. This section provides specific information about the processes and requirements associated with purchasing equipment. For additional information, see FTA circular 4220.1E and circular 5010.

What is WSDOT'S role in equipment procurement?

WSDOT is responsible for ensuring that your organization follows the requirements associated with the receipt of grant funds (both federal and state). We take an active role in the procurement process. During the course of the project WSDOT will monitor your process to ensure that:

- The equipment is purchased through a competitive process
- All purchases follow the proper regulations and procedures
- Request for Bids, Proposals or Request for Quotations are properly issued (if your organization is participating in the consolidated bid process)
- The equipment purchased is appropriate for the services you described in your capital application
- The most economical price is obtained
- The equipment meets all safety standards
- Your organization is reimbursed upon receipt of a properly submitted invoice.

What is your organization's role in purchasing equipment?

Your organization is responsible for carrying out the project you described in your application. In addition, you will have a lead role in the procurement process. Your role includes, but is not limited to:

- Developing the specifications for the equipment (or work with WSDOT to develop the specifications for the consolidated bid)
- Following all regulations and procedures
- Executing the contract for the purchase of the equipment
- Inspecting the equipment to ensure that:
 - ◆ The equipment delivered meets with your specifications
 - ◆ The equipment is in good working order with no apparent cosmetic or mechanical defects
- Reimbursing the contractor in a timely manner
- Maintaining all required records of the procurement process in your organization's files

What are the basic requirements?

- All vehicles and equipment purchased with FTA grant funds must be purchased through a **competitive process unless a sole source is justified and approved by WSDOT**.
- All FTA funded contracts must contain all required FTA Clauses.
- All vehicles purchased with **federal grant funds** must comply with the **FTA bus testing regulations** (Altoona Test).
- All vehicles and equipment purchased with **federal grant funds** must comply with the **Buy America Act** if the total procurement is equal to or exceeds \$100,000.
- All vehicles purchased with **federal or state grant funds** must comply with the **Federal Motor Vehicle Safety Standards** (FMVSS).
- All vehicles purchased with grant funds must meet **Americans with Disabilities Act (ADA)** accessibility requirements unless otherwise approved by WSDOT.
- Prior to the issuance/execution of a purchase order for a vehicle(s), WSDOT must be provided the purchase order and all required certifications to ensure all procurement clauses and certifications have been incorporated.

Note: Required federal contract clauses can be found in the FTA's Best Practices Procurement Manual, Appendix A-Governing Documents. The website is www.fta.dot.gov/library/admin/BPMM/appA1.html.

What are the first steps?

As soon as your organization is notified of your grant award, you may start preparing your vehicle specifications. WSDOT will assist you in determining what method of procurement is best and/or required for the type of vehicle or equipment being purchased. There are several procurement methods available:

- Request for Bids - depending on the experience of your organization's staff you may carry out the procurement process directly.
- Request for Proposals
- Participate in WSDOT's consolidated bid process
- Participate in a transit agency's consolidated bid
- Picking up options on vehicle purchase contracts initiated by other organizations (commonly referred to as piggybacking), such as:
 - ◆ A transit agency
 - ◆ Washington State
 - ◆ Oregon State
 - ◆ A Non-profit organization

Note: If your organization intends to pick up options on another contract, the organization that initiated the contract must supply you with written authorization to use their contract and there must be remaining options available on the contract. If you were awarded an FTA grant the original procurement process must meet FTA standards. Further, if you piggyback on another agency's procurement, you must obtain all documents from the original purchaser as if you had conducted the bid process yourself. WSDOT will review these documents during site visits.

How will WSDOT determine the type of procurement method?

At the beginning of each grant cycle, WSDOT staff will send out a letter summarizing the vehicles to be purchased by all grantees. At that time we will ask each organization for their specifications and preferred method of procurement. We will also ask for volunteers to conduct consolidated bids.

What should I know about conducting the procurement directly?

WSDOT does not prescribe a specific procurement process when using state funds. The primary requirement is that your organization uses a competitive process and you follow your own purchasing policies. However, if your organization was awarded FTA funding for your project, the specific requirements are discussed below.

Is a formal bid process required?

For all vehicle purchases using FTA funds, a formal bid process is required. You may begin developing your bidding procedures and vehicle specifications once you receive notice of your grant award. These documents must be approved by WSDOT prior to seeking bids for the vehicle(s) and must include the following information:

- Type of procurement that will be used
- Type of funding to be used
- A statement that bids will not be opened until the date, time, and place of the bid opening as advertised and
- The basis upon which you will award bids

Note: The WSDOT staff will assist you in the development of bid procedures and vehicle specifications. A sample bid packet and sample specifications may also be available from WSDOT.

Once you receive written approval of your bid procedures and vehicle specifications, you may proceed with your bid process. This includes the following steps:

- Advertise your request for bids with a deadline on when the requests for bid packets must be made.
- Approval of equals - Vendors may request that you accept changes or substitutions to your specifications. All requests of this nature must be approved by WSDOT prior to your acceptance or denial of the request for approval of equals. All other bidders must be provided a copy of requests for approval of equals submitted to your organization.
- Bid opening
- Pre-Award Review of your lowest priced, most responsive bidder. This may include a visit to the factory where the vehicle is assembled. See “What is the pre-award review?” below for more details.
- Prior to bid award the proposed contract/purchase order and all required certifications must be submitted to WSDOT for final review – to ensure all procurement clauses and certifications have been incorporated. WSDOT will e-mail the results of the review.
- Bid Award

Note: It is important to remember that any costs incurred prior to the beginning date of the grant agreement may not be eligible for reimbursement.

What is the pre-award review?

Before you award any bids for vehicles, you must conduct a pre-award review of your lowest priced, most responsive bidder. The purpose of conducting the review is to

verify that the manufacturer is able to construct the vehicle according to your specifications and to ensure the manufacturer is able to comply with:

- Altoona Bus Testing
- Buy America requirements
- Federal Motor Vehicle Safety Standards (FMVSS)

WSDOT must receive a copy of the above reports and certifications and they must be dated prior to bid award.

Note: The dealer may not substitute for the manufacturer. Record when and how you met the review requirements, as well as the data received from the manufacturer.

Bus Testing

The manufacturer must certify to your organization that the vehicle bid complies, or will comply prior to delivery, with FTA bus testing regulations. Each model must be submitted for testing, by the manufacturer, to the testing facility in Altoona Pennsylvania. Your organization may award the bid prior to the vehicle model testing. However, you must receive a copy of the test report prior to accepting the vehicle(s). The testing report must be kept on file by your organization.

As a matter of practicality you should require each bidder to submit two copies of the Altoona Test Results with the bid and make it a requirement for responsiveness.

Note: Vans are not subject to bus testing. For the purposes of the FTA program, a modified van, commonly referred to as a “cutaway,” is considered to be a minibus, not a van.

Buy America

Under “Buy America” at least 60% of the vehicle’s costs must be from American made products and its final assembly must take place in the United States. Prior to award, the manufacturer must certify to their ability to comply with this requirement. The supporting documentation you receive from the manufacturer must detail by component how the 60% Buy America requirement will be met and detail what final assembly entails. You must also verify the manufacturer’s documentation to support their certification.

Federal Motor Vehicle Safety Standards (FMVSS)

To verify compliance with FMVSS, you will need to review the manufacturer’s documentation that the vehicle offered has passed all of the tests required by the National Highway Transportation Safety Administration under 49 CFR 663. The tests may also include other FMVSS tests required by your specifications. A copy of the testing report must be obtained and kept on file by your organization.

Note: Upon request, WSDOT may perform the Buy America and FMVSS reviews for you. However, you need to notify the manufacturer that you have authorized WSDOT to act on your behalf.

Compliance with the Specifications

The final element in the Pre-Award Review is verification that:

- The bid was made by a responsible manufacturer
- The manufacturer has the capability to produce a vehicle that meets your specifications.
- Ensure the continuity of the manufacturer's warranties.

This may include a trip to the factory, where the vehicle will be assembled, to meet with the manufacturer. To determine whether or not a trip is warranted or allowed, contact the WSDOT staff member listed in the front of this guide.

What are the review requirements for 10 or more vehicles?

If your organization is purchasing ten or more vehicles from a single bid, resident inspections are required. These inspections will include up to four trips to the factory during the various construction stages of your vehicles. Contact the WSDOT staff members listed in the front of this guide for more information regarding this requirement.

What does the post delivery inspection consist of?

After you receive your vehicle(s) you need to conduct post-delivery inspections. The inspections take two forms.

- First is a visual inspection to ensure that there are no apparent defects, the vehicle(s) met your specifications, and the manufacturer has complied with:
 - ◆ Buy America - You have received an "American Content" report. The report is dated prior to your invoice date.
 - ◆ Federal Motor Vehicle Safety Standards sticker is placed on each vehicle delivered.
- Second is a road test to ensure that the vehicle(s) is in good working order and has no mechanical defects.

Note: "Appendix C" contains forms that may be used for the inspections. The inspection forms and Buy America are required attachments to your request for reimbursement. Payment will not be issued until they are received by WSDOT.

How do I title our vehicle(s)?

When obtaining the title for vehicles, you must show WSDOT as the legal owner and the your organization as the registered owner. The following information should appear on the title:

WSDOT

Public Transportation and Commute Options Office

P.O. Box 47387

Olympia, Washington 98504-7387

Note: All applicable licensing and title fees are the responsibility of your organization. Those costs are **not** grant eligible.

How long will WSDOT retain title?

The length of time that WSDOT retains title to vehicles purchased under your project will depend in the size of vehicle purchased. In “Appendix E” you will find a chart that identifies the retention schedule for vehicles.

What should I know about vehicles purchased for replacement?

If you were awarded a grant to replace a vehicle, you will be expected to retire a vehicle from regular services within three months of accepting the new one.

Retiring a vehicle means that it is sold, placed in backup reserve, or otherwise disposed of.

Note: Failure to retire the replaced vehicle in a timely manner is considered a breach of the grant agreement and may result in disqualification for future grants or repossession of the new vehicle(s).

Other Equipment Purchases

This section describes the steps you need to take and the requirements associated with purchasing equipment other than vehicles.

What purchasing procedures should be followed?

WSDOT does not prescribe specific procedures for the purchase of other equipment. However, your organization is required to have written procedures that describe what steps are to be taken when purchasing equipment. These steps must include:

- Dollar threshold for procurement methods
- Which officials have signature authority for various types of purchases, and
- At what point board approval is required
- Policies for purchasing from DBE vendors (for more information see Chapter 1, DBE requirements).

Note: For more detailed guidance on developing purchasing procedures for your agency, see Chapter 2, “Purchasing Procedures.” In addition, purchasing procedures for private for profit and non-profit organizations who were awarded FTA funds must be in compliance with FTA Circular 4220.1E *Third Party Contracting Guidelines*. A copy of that circular can be found in the reference manual that accompanies this guide.

How to Invoice WSDOT for your Capital Grant

WSDOT will reimburse your organization for the state and federal percentage shares identified in Appendix A of your agreement with WSDOT. The remaining portion of the cost must be paid for with local funds. The local share must be in cash and not derived from any sources that would place restrictions on the use of the equipment or place a lien on the equipment. Eligible expenses include, but are not limited to:

- Pre-Award Review trip (if required/approved) - these expenses must fall within State per diem rates
- Cost of equipment identified in the grant agreement
- Installation of other vehicle equipment covered under the grant agreement (i.e. signage, bike racks, radios, etc.)
- Installation of striping and/or logos on the exterior of any vehicles purchased under the grant agreement
- Installation of non-vehicle equipment identified in your grant agreement.

To receive reimbursement, you need to submit a completed invoice form signed by your financial manager or other authorized representative, to WSDOT’s Public Transportation and Commute Options Office along with copies of the vendor invoices and any other required attachments. See Appendix A of this guide for invoice forms and detailed instructions.

A completed invoice must have the following information or attachments:

- Final Buy America Content and Assembly Certification from manufacturer
- Certification that FVMSS sticker has been affixed to the vehicle
- Invoices from vendors supplying vehicle or related equipment and services
- Completed visual inspection and road test forms
- Copy of e-mail or letter from WSDOT approving award of contract
- Copy of report from the visit to manufacturers site to verify vehicle was constructed according to bid specifications; if visit was required

Appendix A

Invoicing Instructions and Forms

On the following pages you will find copies of the forms you need to invoice WSDOT for your project expenses and the detailed instructions applicable for each form. The forms included in this Appendix are:

- Operating Reimbursement Request
- Purchase of Services Contracts Invoice
- Capital Reimbursement Request

If your organization was awarded an Operating grant, WSDOT staff will provide your organization with an electronic invoice that contains formulas to calculate your reimbursement and the charge to each funding program for your project. The invoice will be in Excel format. If you are unable to access the form, contact the WSDOT staff member listed in the front of the guide for instructions.

Note: WSDOT will not accept invoices that are not completed on the proper form. Nor will we accept forms that have been modified to include additional information or format changes.

How do I complete the Operating Reimbursement Request form?

Reimbursement Request forms for operating grants may be submitted monthly or quarterly. We prefer that the forms be submitted quarterly.

Instructions

1. On your electronic form, the following information will already be completed with the exception of the invoice date and billing period. However, you should check the information and make any corrections necessary.
 - a Agency and Address: agency's name and address to which you would like the payment sent
 - b Agreement Number: agreement number shown on your contract with WSDOT for this project
 - c Federal ID Number: number assigned to your agency by the Internal Revenue Service. This number is used as your vendor identification.
 - d Invoice Date: the date the form was created
 - e Billing Period: time period covered by the form
2. Enter your operating expenses and revenue
 - a Gross Expenses: total operating expenses during the billing period for the transportation services defined for your project in the agreement
 - b Fares and Donations: any income received from passengers for transportation services provided to them
 - c Ineligible Expenses: The total of any ineligible expenses and/or depreciation of equipment purchased with federal funds
 - d Net Expenses: Subtract the Fares, Donations, and Ineligible Expenses from the Gross Expenses. A formula in the electronic form will calculate this for you.
 - e Local Match: The total of all other funds your organization receives for your transportation services directly related to your project. Funds diverted to a capital reserve account should not be included.
3. Enter the **Total Amount Requested**: Subtract the Local Match from the Net Expenses. A formula in the electronic form will calculate this for you.
4. **Fund Source**: The electronic form contains equations to distribute the total amount requested between the funding types awarded for each project. You are strongly encouraged to use the electronic form provided with your contract. However, if you need to use the paper version of the form, leave this section blank.

Washington State Department of Transportation																	
Reimbursement Request																	
Operating Grants																	
Agency:						Agreement Number:						Invoice Date:					
Address:						Federal ID Number:						Billing Period:					
City, State, and Zip:																	
Operating Expenses Per Project (Please attach additional invoice if more than three projects):																	
Project A																	
Title:						Fund Source - will compute automatically											
Fares & Donations			Ineligible Expenses			Net Expenses			Local Match			Total Amount Requested					
			0.00			0.00			0.00			0.00					
Project B																	
Title:						Fund Source - will compute automatically											
Fares & Donations			Ineligible Expenses			Net Expenses			Local Match			Total Amount Requested					
			0.00			0.00			0.00			0.00					
Project C																	
Title:						Fund Source - will compute automatically											
Fares & Donations			Ineligible Expenses			Net Expenses			Local Match			Total Amount Requested					
			0.00			0.00			0.00			0.00					
Totals From Projects A, B, C - will compute automatically																	
Gross Expenses			Fares & Donations			Ineligible Expenses			Net Expenses			Local Match			Total Amount Requested		
0.00			0.00			0.00			0.00			0.00			0.00		
I hereby certify that the costs shown on this invoice reflect the true and actual costs incurred against this agreement.																	
2nd Job Number (if applicable):																	
2nd Amount (if applicable):																	
Work Order: 0723 0723 0723 0723 0723 0723 0723																	
Object: NZ13 NZ13 NZ13 NZ13 NZ13 NZ13 NZ13																	
Org Code: 631020 631020 631020 631020 631020 631020 631020																	
Signature																	
Date																	
Reviewed By: WSDOT ONLY																	
Approved By: WSDOT ONLY																	
Title																	

How to complete your purchase of service invoice

1. General Information
 - A. Organization Name – Fill in the legal name of your organization.
 - B. Mailing Address – Insert the address where you want the payment to be sent to.
 - C. Federal ID Number – Insert the Employer Identification number issued to your organization by the Internal Revenue Service.
 - D. Agreement Number – The number issued by WSDOT applicable to the project you are billing for.
 - E. Billing Period – Time period covered by the invoice.
 - F. Invoice Date – This should be the date you prepared the invoice.
2. Ridership Data – Fill in the number of passengers trips provided as it applies to each category listed. Note: passenger trips are counted as each time a passenger boards your vehicle (one way trips).
3. Billing Information
 - A. Service Units Provided – Enter the number of service units performed during the billing period
 - B. Unit Rate – Fill in the predetermined unit rate identified in the project budget of your agreement
 - C. Total – Multiply the service units provided by the unit rate
 - D. Local Share – Multiply the Total in step C above by the percentage shown as local share on your agreement.
 - E. Invoice Amount – Subtract D from C. This is the amount you may invoice WSDOT.
4. Signature – The invoice must be signed by your organization's authorized representative. This may be your financial officer, executive director, or general manager.

**Washington State Department of Transportation
FTA 5310 Purchase of Services Agreement
Invoice**

Organization Name: _____ **Agreement #** _____
Mailing Address _____
City, State, Zip _____ **Invoice Date** _____
Federal ID Number _____ **Billing Period:** _____

Ridership Data

(Profile of Passengers carried this billing period)

Elderly	Disabled	Total Passengers

Billing Information

Service Units Provided: _____

Unit Rate: _____

Total (units provided x rate) _____

Local Share of project (total x percentage on agreement) _____

Invoice Amount: _____

Matching Sources

I hereby certify that the information appearing on this invoice represents
the services provided under the agreement referenced above

(Signature)

(Date)

(Title)

For WSDOT use only					
Work Order	Group	Work Op	Object	Organization	Amount

How do I complete the Capital Reimbursement Request form?

The following information will assist your agency in completing the invoice forms for all FTA capital projects. Copies of the invoice form can be located immediately following these instructions.

If your organization was awarded a Capital grant, WSDOT staff will provide you with an electronic invoice that contains formulas to calculate your reimbursement and the charge to each funding program for your project. The invoice will be in Excel format. If you are unable to access the form, contact the WSDOT staff member listed in the front of the guide for instructions.

Reimbursement Request forms for capital grants may be submitted after a significant amount of expenditures have been incurred. If submitting a Reimbursement Request for a vehicle purchase, these should be submitted within 30 days after the acceptance of the vehicle.

Note: WSDOT will not accept invoices that are not completed on the proper form. Nor will we accept forms that have been modified to include additional information or format changes.

Instructions

1. Fill out all information in the heading:
 - a Organization Name and Address: Your organization's name and the address to which the payment will be sent
 - b Federal ID Number: The employer identification number assigned to your organization by the Internal Revenue Service
 - c Agreement Number: The agreement number shown on the your contract with WSDOT for this project
 - d RFP Publish Date: the date the request for bid was published for your project
 - e Contract Award Date: the date the contract was executed with the vendor for your project
 - f Contract Completion Date: the date the contract with the vendor was completed for your project
 - g Invoice Date: the date the Reimbursement Request form was created completed.
2. Equipment: the information in this section will vary based on the type of equipment purchased. You must provide all of this information before WSDOT will issue payment.
 - a Equipment Description:
 - i. Vehicles: enter the year, make, and model of each vehicle purchased
 - ii. Other Equipment: enter equipment description
 - b VIN/Serial Number:

- i. Vehicles: enter the vehicle identification number
 - ii. Other Equipment: enter the serial number from each piece of equipment
 - c. Grantee Vehicle Number (vehicles only) – The number assigned to vehicle by your organization
 - d. Wheelbase Length/Gross Vehicle Weight (not applicable for vans or other equipment):
 - i. Minibuses and Cutaways: enter the length of the minibus or cutaway from axle to axle
 - ii. Buses: enter the gross vehicle weight of the bus
 - e. Passenger Seats/TD: number of passengers each vehicle will accommodate, plus the number of wheelchair tie downs
 - f. Rear Wheels: indicate whether the vehicle has single (S) or dual (D) rear wheels
 - g. ADA Accessible – indicate whether the vehicle is accessible to persons with disabilities (all vehicles must meet ADA standards except van pool vehicles. In which case, your organization may purchase non accessible equipment as long as you have accessible equipment available for vanpool service).
 - h. Date Accepted: date in which your agency notified the vendor that the vehicle had been accepted
3. Pre-Award Audit Trip: If your organization conducted an on-site visit to the manufacturer, a Pre-Award Audit Travel Worksheet must be completed. After the worksheet is completed transfer the calculated costs to the Reimbursement Request form. If a Pre-Award Audit Trip was not taken, please attach an explanation.
 4. Cost: enter the amount shown on the vendor invoices. Public transit agencies need to deduct the ineligible local sales tax that is collected on its behalf from the invoiced cost
 5. Less Local Share: calculate your agency's local share using the percentages provided in the contract
 6. Reimbursement Requested: subtract the Local Share from the Total Costs
 7. Your project may be funded by: Rural Mobility Current Law, Rural Mobility Competitive, Rural Mobility Transit Formula, ParaTransit/Special Needs for Non-profit, ParaTransit/Special Needs Transit Formula, FTA 5311, FTA 5311(f), or JARC funds. Your Reimbursement Request has been created to calculate these expenses based on the project fund sources defined in your contract with WSDOT.
 8. Signature Block: your Chief Executive Officer or Financial Manager must sign the Reimbursement Request. WSDOT will not issue payment if the Reimbursement Request is not signed.
 9. Required attachments for capital grants:

- a Vendor Invoices: attach copies of all vendor invoices related to the expenses you are billing for
- b Pre-Award Audit Trip:
 - i. Pre-Award Audit Travel Worksheet: complete this form to calculate expenses and state per diem rates
 - ii. Trip itinerary and all travel expense receipts except for meal receipts
- c Explanation if trip was not taken
- d Post Delivery Inspection Forms (See “Appendix A, Forms” for sample forms):
 - i. Visual Inspection Form
 - ii. Road Test Form

Reimbursement Request
Capital Grants[illegible]

Pre-Award Audit Trip Expense Worksheet

Traveler's Name: _____ GCA#: _____

Meeting Location: _____ Date of Meeting: _____

Date, time, and location of departure from home or work _____

Date, time, and location of return to home or work _____

Personal auto mileage

Miles Driven to Airport _____

Miles Driven from Airport _____

Total Miles _____ x .345 = \$ _____

Breakfast: Meals @ \$ = \$ _____

Lunch: Meals @ \$ = \$ _____

Dinner: Meals @ \$ = \$ _____

Total Meals \$ _____

Miscellaneous

Expenses

Parking Fees: \$ _____

Lodging: \$ _____

Airfare: \$ _____

Other (Specify): \$ _____

Total Miscellaneous Expenses \$ _____

Total Pre-Award Audit Expense \$ _____

Travel itinerary and receipts must be submitted for everything except meals.

Attach this form to your Reimbursement Request.

**Note: Lodging, mileage, and meals are reimbursed at the state per diem rates. State per diem rates are subject to change. For state per diem rates visit for your destination visit the web at: <http://www.ofm.wa.gov/policy/travel.htm> or contact the Public Transportation and Commute Options Office at (360) 705-7911.*

Appendix B

Report Forms

All grantees are required to submit Quarterly Progress Reports to the Washington State Department of Transportation (WSDOT). To demonstrate that grant funds are administered effectively and efficiently, WSDOT uses the progress reports to account to the State Legislature, the State Transportation Commission, the Federal Transit Administration, and the Secretary of Transportation. In addition, WSDOT staff use the reports to highlight your successes and identify areas where organizations may need technical assistance. These instructions will help you provide accurate, consistent, and on-time progress reports.

Who must complete the Quarterly Progress Reports?

Progress reports must be submitted by all organizations receiving funds from the grant programs listed below:

- FTA 5309 Capital
- FTA 5310 Capital and Purchased Services
- FTA 5311 Capital and Operating
- FTA 5311(f) Capital and Operating
- Rural Mobility Current Law
- Rural Mobility Competitive
- Rural Mobility Transit Formula
- Paratransit/Special Needs Non-profit
- Paratransit/Special Needs Transit Formula
- JARC (Job Access and Reverse Commute)

What information must be reported?

Project Narrative

Complete a Project Narrative for each contract. Your Project Narrative should summarize each project identified in your contract.

Operating Project Narrative

You may incorporate the following suggested topics in your operating Project Narrative:

- How you are implementing the program.
- Describe any problems you are having.
- Describe any successes you are having.
- How you are marketing the project.

- How you are coordinating transportation with the local ACCT Coordinating Council and other transportation providers in your area.
- If your project is a new start, when did or when will you start service?
- Will you have sufficient funding to complete the project? Do you need more funding or will you be able to turn back surplus funds?
- Do you foresee making any significant changes in the project?
- Describe training you are providing to drivers, dispatchers, and supervisors.

Please furnish the following materials when appropriate:

- Schedules and route maps
- Advertisements, flyers, posters, and other marketing materials
- News releases, articles, and other publicity
- A project report to your Board of Directors
- Photos of your service in action

Capital Project Narrative

Include the following in your capital Project Narrative:

- Describe where you are in the procurement process.
- Describe any problems you are having.
- Describe any successes you are having.
- Is your funding sufficient? Will you be able to turn back surplus funds?

Detail of Match for Operating Expenditures

Report the operating expenditures for each project identified in your contract, listing the sources of matching funds. Figures should reflect the invoices submitted to WSDOT from the contract start date through the quarter end date for which you are reporting.

Operating Expenditure by Service Type

Operating projects may include multiple types of service. To determine the amount of funds spent for each type of service, break out your net operating expenditures by service type. Only include expenditures from the quarter for which you are reporting.

Statistical Summary by Service Type

For your operating contract, report the following statistics by service type from the quarter for which you are reporting:

Passenger Trips (Boardings)

Report the total number of passengers that board operational revenue vehicles during the reporting period. Passengers are counted each time they board vehicles no matter how many vehicles they use to travel from their origin to their destination. Trips should be counted regardless of whether an individual fare is collected for each leg of travel. Include passenger trips on personal vehicles used in service.

Revenue Vehicle Miles

Report the total number of miles for the reporting period that all vehicles travel from the time they pull out to go into revenue service to the time they pull in from revenue service, including the miles of personal vehicles used in service.

Revenue Vehicle Hours

Report the total amount of time in hours for the reporting period that all vehicles travel from the time they pull out to go into revenue service to the time they pull in from revenue service, including the hours of personal vehicles used in service.

Note: If your service is funded by multiple funding sources, divide the statistics based on percentages identified in your contract.

Capital Expenditures

For capital contracts, report each active project's net expenses during the quarter for which you are reporting. The quarter the procurement is complete will be the last time you have to report expenditures.

Disadvantaged Business Enterprise (DBE) Annual Report

Only organizations receiving federal operating or federal capital funds (other than buses) will be required to report on DBE efforts. DBE Annual Reports need to be submitted annually with the December 31 submission.

Note: Organizations who intend to award contracts in excess of \$249,999 (other than buses) must have a formal DBE Plan.

Annual Passenger Service Vehicle Inventory Report

This inventory must be completed for all passenger vehicles in your fleet, including spare vehicles. Maintenance and staff-only vehicles are excluded. The Vehicle Inventory Report is due annually with the December 31 submission and must be signed and submitted by mail.

When are the Quarterly Progress Reports due?

Quarterly Progress Reports must be submitted four times each year for the quarters ending March 31, June 30, September 30, and December 31. Reports are due within 45 days after the end of each three-month quarter.

What happens if I fail to submit Quarterly Progress Reports?

If WSDOT does not receive your progress report by the due date, submitted invoices will be held without payment until an acceptable report is received.

Note: Failure to submit the required reports may jeopardize your ability to access current or future grant funds through WSDOT.

Do we submit separate Quarterly Progress Reports for each contract?

You will need to submit separate Quarterly Progress Reports for each contract.

Operating Contract

For each operating contract you need to submit the following:

- Project Narrative summarizing each project identified in your contract
- Operating Expenditure Report by Service Type
- Detail of Match for Operating Expenditures
- Statistical Summary by Service Type
- Disadvantaged Business Enterprise Annual Report (once per year, if applicable)
- Annual Passenger Service Vehicle Inventory Report (once per year)

Capital Contract

For each capital contract you need to submit the following:

- Project Narrative summarizing each project identified in your contract
- Capital Expenditures Report
- Disadvantaged Business Enterprise Annual Report (once per year, if applicable)
- Annual Passenger Service Vehicle Inventory Report (once per year)

Note: If you received a grant to purchase a vehicle that is an addition to your fleet and it is not supported by an operating grant, you must report the operating statistics for the routes that bus supports. Use the Statistical Report by Service Type to report the data. **Please identify the project as a capital support project.**

Who do I submit the reports to?

You may submit Quarterly Progress Reports electronically or by mail to Jerry Ayres at the following:

**WSDOT
Public Transportation and Commute Options Office
P.O. Box 47387
Olympia, WA 98504-7387**

Email: ayresj@wsdot.wa.gov

Note: Annual Passenger Vehicle Inventory Reports must be submitted by mail with an original signature.

Who do I call if I need assistance regarding the Quarterly Progress Reports?

Contact Jerry Ayres at (360) 705-7912.

<p>Project Narrative Quarterly Progress Report For the Quarter Ending:</p>
--

Organization:
GCA Number:
Contact Name:
Phone Number:

Directions: Complete one Project Narrative for each contract. If you have more than one project identified in your contract, please report on each project.

Project Status, Accomplishments, and Challenges:

Operating Expenditures

Operating Expenditures by Service Type Quarterly Progress Report For the Quarter Ending:

Organization:

GCA Number:

Funding Sources	Fixed Route	Route Deviated	Demand Response	Intercity	Vanpool	Other (Define)	Total
<i>Expenses reported should reflect the net expenses for this quarter only</i>							
Rural Mobility Current Law							\$0.00
Rural Mobility Competitive							\$0.00
Rural Mobility Transit Formula							\$0.00
ParaTransit/Special Needs Non-profit							\$0.00
ParaTransit/Special Needs Transit Formula							\$0.00
FTA 5311 General Public							\$0.00
FTA 5311(f) Intercity							\$0.00
Job Access and Reverse Commute (JARC)							\$0.00
Local Funds							
DSHS/Medicaid Local Funds							\$0.00
Other Local Funds							\$0.00
Total Expenditures this Quarter	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total Expenditures to Date							\$0.00
Total Budget for Service							\$0.00
Balance	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
% Budget Spent	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!

Match Detail Report

Detail of Match for Operating Expenditures Quarterly Progress Report For the Quarter Ending:

Organization:

GCA Number:

	Project A	Project B	Project C	Project D	Project E	Project F	Project G	Totals
<i>Expenses reported should reflect from the contract start date to this quarter end date</i>								
Gross Expenses								\$0.00
Less Fares and Donations								\$0.00
Less Ineligible Expenses								\$0.00
Net Expenses	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Less Local Match								
(List Sources of Match Below)								
1								\$0.00
2								\$0.00
3								\$0.00
4								\$0.00
5								\$0.00
Total Local Match	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Funding Source								
RM Current Law								\$0.00
RM Competitive								\$0.00
RM Transit Formula								\$0.00
ParaTransit/SN Non-profit								\$0.00
ParaTransit/SN Transit Formula								\$0.00
FTA 5311								\$0.00
FTA 5311(f)								\$0.00
JARC								\$0.00
Total Amount Requested	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Local Match Percentage (Total Local Match divided By Net Expenses)	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	
Local Match Required by Contract								

Ridership and Statistical Summary

Statistical Summary by Service Type
Quarterly Progress Report
For the Quarter Ending:

Organization:

GCA Number:

	Fixed Route	Route Deviated	Demand Response	Intercity	Vanpool	Other (Define)	Total
<i>Statistics should reflect this quarter only</i>							
Passenger Trips <i>(one way boardings)</i>							
Rural Mobility Current Law							0
Rural Mobility Competitive							0
Rural Mobility Transit Formula							0
ParaTransit/Special Needs Non-profit							0
ParaTransit/Special Needs Transit Formula							0
FTA 5310 Purchased Services							0
FTA 5311 General Public							0
FTA 5311(f) Intercity							0
Job Access and Reverse Commute (JARC)							0
Local Funds							
DSHS/Medicaid Local Funds							0
Other Local Funds							0
Total Boardings	0	0	0	0	0	0	0
Revenue Miles							
Rural Mobility Current Law							0
Rural Mobility Competitive							0
Rural Mobility Transit Formula							0
ParaTransit/Special Needs Non-profit							0
ParaTransit/Special Needs Transit Formula							0
FTA 5310 Purchased Services							0
FTA 5311 General Public							0
FTA 5311(f) Intercity							0
Job Access and Reverse Commute (JARC)							0
Local Funds							
DSHS/Medicaid Local Funds							0
Other Local Funds							0
Total Revenue Miles	0	0	0	0	0	0	0
Revenue Hours							
Rural Mobility Current Law							0
Rural Mobility Competitive							0
Rural Mobility Transit Formula							0
ParaTransit/Special Needs Non-profit							0
ParaTransit/Special Needs Transit Formula							0
FTA 5310 Purchased Services							0
FTA 5311 General Public							0
FTA 5311(f) Intercity							0
Job Access and Reverse Commute (JARC)							0
Local Funds							
DSHS/Medicaid Local Funds							0
Other Local Funds							0
Total Revenue Hours	0	0	0	0	0	0	0

Note: If your service is funded by multiple funding sources, divide statistics based on percentages identified in your contract.

FORM 2003-2005

Capital Expenditure Summary

Capital Expenditures Quarterly Progress Report For the Quarter Ending:

Organization:

GCA Number:

Funding Sources	Project A	Project B	Project C	Project D	Project E	Project F	Total
<i>Expenses reported should reflect the net expenses for this quarter only</i>							
Rural Mobility Current Law							\$0.00
Rural Mobility Competitive							\$0.00
Rural Mobility Transit Formula							\$0.00
ParaTransit/Special Needs Non-profit							\$0.00
ParaTransit/Special Needs Transit Formula							\$0.00
FTA 5309 Bus and Bus Related							\$0.00
FTA 5310 Capital							\$0.00
FTA 5310 Purchased Services							\$0.00
FTA 5311 General Public							\$0.00
FTA 5311(f) Intercity							\$0.00
Job Access and Reverse Commute (JARC)							\$0.00
Local Funds							\$0.00
Total Expenditures this Quarter	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total Expenditures to Date							\$0.00
Total Budget for Project							\$0.00
Balance	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
% Budget Spent	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!
Items to be Purchased (Identify by Project):							
Request For Bid Advertised Date:							
Date of Bid Award:							
Date of Delivery:							
Date of Acceptance:							

(If dates above are estimated, please type an "E" next to the date)

Annual Passenger Service Vehicle Condition Report

Annual Passenger Service Vehicle Inventory Report
For Period Ending: December 31,

Organization:

	Manufacturer	Make	Model Year	Status Active (A) Spare (S)	VIN	Fuel Type	Seating Capacity	# of wheelchair stations	Fed/State Funding Source Used to Purchase Vehicle	Odometer Reading	Vehicle Condition (See Below)
1											
2											
3											
4											
5											
6											
7											
8											
9											
10											
11											
12											
13											
14											
15											
16											
17											
18											
19											
20											
21											
22											

Vehicle Condition Rating:

10 = Requires only routine preventative maintenance
9 to 7 = Requires routine preventative maintenance; has infrequent minor repairs
6 to 4 = Requires routine preventative maintenance; has frequent minor repairs
3 to 1 = Requires frequent major repairs; needs a major component such as engine or transmission replacement

I hereby certify that all information reported above reflects the true and accurate inventory of the organization listed above.

Definitions:

Active (A) - vehicle is used regularly in service
Spare (S) - vehicle is used as replacement when active vehicles are being serviced or repaired
Seating Capacity - maximum number of seats available including fold down seats over wheelchair stations
of wheelchair stations - maximum number of wheelchairs that can be accommodated at one time

Signature

Title

Date

Disadvantaged Business Enterprise Report

<p>Disadvantaged Business Enterprise Annual Report For the Period Ending:</p>
--

Organization:
GCA Number:
Contact Name:
Phone Number:

Amount of goods/services purchased: \$

Amount of goods/services purchased from DBE vendors: \$

Percentage of purchases from DBE vendors: %

DBE vendors used:

- 1.
- 2.
- 3.
- 4.

Description of good faith efforts:

Appendix C

Post delivery inspection forms

This Appendix contains the forms you will need to complete when inspecting a vehicle purchased under your project.

- Visual Inspection Form
- Road Test Form

Electronic versions of these forms can be found on the diskette that accompanied your guide. If you are unable to open the electronic files, please contact the WSDOT staff members listed in the front of this guide

Visual Inspection Form

Organization Name _____

GCA# _____

Vehicle Manufacturer: _____

Vin Number: _____

Location inspection was conducted: _____

The following items must be inspected on each vehicle received under your grant

Item	Requirement	Instruction	Result	Date	Remarks
Curb Weight	Maximum curb weight of ____ lbs	Measure on certified scale	Weight ____ lbs		
Buy America	Received Final American Content Report	Check to see if received, review for compliance	yes/no		
FMVSS Stickers	Affixed to the vehicle	Locate sticker	yes/no		
FMVSS Test Report	Received prior to or upon delivery of the vehicle	Check to see if received, review report	yes/no		
Altoona Testing Report	Received copy of report for vehicle make/model	Check to see if received, review report prior to vehicle acceptance	yes/no		
Finish and color	Smooth body surfaces and paint	Visually inspect all surfaces for flaws	Pass/Fail		
Interior Panel Fastening	Absence of rough edges or surfaces	Visually inspect for proper installation	Pass/Fail		
Towing Devices	Provision of towing eyes (front/rear)	Verify presence of towing eyes	Pass/Fail		
Door Control	Opening time of ____ seconds	Verify door opening time frame	Pass/Fail		
Interior Lighting	Lighting operable without engine	Switch on all interior lights while engine is not running	Pass/Fail		
Exterior Lighting	All exterior lights operable	Switch on and verify all lamps are on	Pass/Fail		
Fuel Tank	Fill rate and filler location	Inspect filler for easy access and check fill rate	Pass/Fail		
Chassis	Welds, axles, suspension, steering, wheels, and brakes	Inspect for leaks and interference. Check fluid levels, welds, undercoating, air lines, brake slack, and lug nuts	Pass/Fail		
Electrical	Wiring and junction boxes	Inspect for loose or stretched wires	Pass/Fail		
Batteries	Secured and polarized wiring access for jump start	Inspect compartment and jumper cable access	Pass/Fail		
HVAC	Capacity and performance	Operate AC, check compressor, condenser, flow, and temperature	Pass/Fail		
Wheelchair Access	Clear lift or ramp access and securement area	Operate lift or ramp, inspect operation, measure areas	Pass/Fail		
Power Plant	Mounting and arrangement	Check for loose lines, leaks, and noises. Check fluid levels, belt alignment, and cap fit	Pass/Fail		

Road Test Form

Organization Name _____

GCA# _____

Vehicle Manufacturer: _____

VIN Number: _____

Location test was conducted: _____

The following items must be inspected on each vehicle received under your grant

Item	Requirement	Inspection Instruction	Result	Date Inspected	Remarks/ Notes
Engine	N/A	Record low idle, fast idle, and high idle speeds	Low _____ Fast _____ High _____		
Service Brakes	Stopping Distance	Verify function and indicator, check for pulling to either side	Pass/Fail		
Parking Brake	N/A	Verify indicator and no movement when on	Pass/Fail		
Turning Effort	Steering wheel torque	Check Effort with coach stopped	Pass/Fail		
Turning Radius	Not to exceed _____ at corner of body	Verify turning radius in both directions	Pass/Fail		
Acceleration	_____ rate from 0 to _____ mph	Verify acceleration on smooth road	Pass/Fail		
Resonance	Absence of audible and/or visible vibrations	Operate vehicle at various speeds, check for vibrations and rattles	Pass/Fail		
Windshield wipers	Operational and evenly deposited wash fluid	Operate vehicle at safe speeds over 40 mph, check coverage, parking position, and wiper frequency	Pass/Fail		
Power Plant	N/A	check for leaks under vehicle and in engine compartment, check for abnormal noises	Pass/Fail		
HVAC	Interior temperature	Operate system, check internal and ambient temp	Pass/Fail		
Door Control	Accelerator and brake interlocks	At speeds less than 10 mph, verify accelerator and brake interlocks with door open	Pass/Fail		
General	N/A	During testing, observe and abnormalities in ride and handling of vehicle	Pass/Fail		

Appendix D

Project Visit Checklist

This Appendix contains copies of the checklists used by WSDOT staff. Reviewing each checklist will give you an overview of what questions will be asked and a basis for determining what staff will need to attend the meeting. The following checklists are included:

- Site Visit Checklist
- Drug and Alcohol Testing Program Compliance Checklist

Site Visit Checklist

On the following pages you will find the checklist that WSDOT staff use when conducting site visits. Please review this checklist prior to your site visit to ensure that you have the proper staff and documentation available.

Drug and Alcohol Testing Program Checklist

On the following pages you will find the checklist that WSDOT staff use to review your compliance with FTA Drug and Alcohol testing. Please review the checklist prior to your Drug and Alcohol Program Review to ensure that you have the proper staff and documentation available.

Appendix E

Vehicle Disposition Schedule

This Appendix consists of a chart that is designed to help you determine how long WSDOT will hold title to a vehicle purchased with federal funds.

